



CONSTITUENT ASSEMBLY OF PAKISTAN DEBATES

Saturday, 22nd May, 1948

OFFICIAL REPORT

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CONSTITUENT ASSEMBLY OF PAKISTAN

Saturday, the 22nd May, 1948

The Constituent Assembly of Pakistan met in the Assembly Chamber, Karachi, at Ten of the Clock, Mr. Chairman (Mr. Tamizuddin Khan) in the Chair.

MEMBERS SWORN

The following Members made the prescribed oath or affirmation of allegiance to the Federation of Pakistan :—

Mr. Birat Chandra Mandal (East Bengal : General).

Begum Jahan Ara Shah Nawaz (West Punjab : Muslim).

AMENDMENT TO RULES OF PROCEDURE OF CONSTITUENT ASSEMBLY OF PAKISTAN

Mr. Chairman : The following motion moved by Sardar Abdur Rab Khan Nishtar is under consideration :—

"That for rule 62 of the Constituent Assembly Rules, the following be substituted, namely :—

'*Assent to Bills*.—When a Bill has been passed by the Assembly, it shall be presented to the President for his assent'."

Khan Sardar Bahadur Khan (N.-W. F. P. : Muslim) : Mr. Chairman Sir, I do not want to move amendment No. 1, standing in my name. I shall, with your permission, move amendment No. 2.

Sir, I move :

"That for the amendment moved by the Honourable Sardar Abdur Rab Khan Nishtar with regard to rule 62 of the Constituent Assembly Rules, the following be substituted :—

'That for rule 62 of the Constituent Assembly Rules, the following be substituted, namely—

When a Bill is passed by the Assembly a copy thereof shall be signed by the President and it shall become law on being published in the Official *Gazette* of Pakistan under authority of the President'."

Sir, the purpose of my amendment is identical with that of Sardar Abdur Rab Nishtar's and therefore I do not stand in need of a detailed speech in support of it, for its implications have been explained fully by my friend the other day. My amendment means slight improvement in drafting and as such I commend it to the House.

Mr. Chairman : Motion moved :

"That for the amendment moved by the Honourable Sardar Abdur Rab Khan Nishtar with regard to rule 62 of the Constituent Assembly Rules, the following be substituted :—

'That for rule 62 of the Constituent Assembly Rules, the following be substituted, namely—

When a Bill is passed by the Assembly a copy thereof shall be signed by the President and it shall become law on being published in the Official *Gazette* of Pakistan under authority of the President'."

The Honourable Sardar Abdur Rab Khan Nishtar (West Punjab : Muslim) : Well, Sir, if that is the view of both the sides, I am prepared to accept the amendment moved by Khan Sardar Bahadur Khan.

Mr. Dharendra Nath Datta (East Bengal : General) : Then, Sir, I do not want to move the amendments standing in my name.

Mr. Chairman : Khan Sardar Bahadur Khan's amendment is open to discussion.

Several Honourable Members : No discussion, Sir.

Mr. Chairman : The question is :

"That for the amendment moved by the Honourable Sardar Abdur Rab Khan Nishtar with regard to rule 62 of the Constituent Assembly Rules, the following be substituted:—

'That for rule 62 of the Constituent Assembly Rules, the following be substituted, namely—

When a Bill is passed by the Assembly a copy thereof shall be signed by the President and it shall become law on being published in the Official *Gazette* of Pakistan under authority of the President'."

The motion was adopted.

THE GOVERNMENT OF INDIA ACT (SECOND AMENDMENT) BILL

The Honourable Mr. Ghazanfar Ali Khan (West Punjab : Muslim) : Sir, I beg to move :

"That the Bill further to amend the Government of India Act, 1935, be taken into consideration."

I submit, Sir, that this Bill will consist of very slight amendments to some clauses of the Government of India Act as adapted for Pakistan by the Pakistan (Provisional Constitution) Order, 1947. These amendments neither inaugurate any new policy nor any departure from the principles already contained in the Act. I would describe these proposed amendments as merely consequential on the new circumstances which have arisen in the country during the past few months and which could not possibly have been foreseen at the time either of passing this Act or at the time of Partition. I submit, Sir, that in section 102, powers are given to the Federal Legislature to legislate in provincial matters whenever such a need occurs. In the Act, it was laid down that such emergency would probably arise only when the peace of the country was threatened by internal disturbances or by war.

Therefore the framers of the Act of 1935, which was based on very broad principles of provincial autonomy, provided for certain contingencies in which the Centre would pass legislation on matters relating to the Provinces. My Bill recognises as such a contingency, a threat not only to the security but also to the economic life of Pakistan. Now, Sir, there was a difference of opinion whether a threat to the security of the country did not already include a threat to the economic life of the country or one of its provinces. To put this beyond the reach of doubt, we thought it best to make an express provision. I am sure all the Members will agree that if the economic life of a country is threatened, its internal peace is automatically threatened. Clause 2 of the Bill goes on, Sir, to provide against a threat to the security or economic life of the country by any other action of a foreign Government besides war or by circumstances arising out of any mass movement of population from or into Pakistan. I submit, Sir, that at the time when this act was passed

nobody could think that immediately after separation there would be such a tremendous upheaval, resulting in more than ten million people moving into Pakistan and moving out of Pakistan. I hope, Sir, that no occasion will ever arise for the Centre to have to pass legislation on the subjects which relate to the Provinces, or the Central Executive shall feel it necessary to exercise any authority over the Provinces or issue any directives to them. But we must remember that a situation might arise where the Centre might have to exercise those powers. This could be done even by passing an Ordinance. But we thought that it would be unfair in these days of democracy not to take this Honourable House into our confidence or to do anything without their approval. The necessity of the Centre's being actively associated with the Provinces in this upheaval was realised at a very early date, particularly in the West Punjab where the number of people who migrated into Pakistan from India ran into 50 or 60 lakhs. In those very early stages the Provincial Government thought that it was absolutely beyond their resources to cope with such a serious problem. They, therefore, approached the Centre for immediate help and the Centre gave them all-out assistance. It was perhaps because the Centre took this very active interest in the situation that hope was created in the mind of the refugees, and so far we are glad to say that there have been very few disturbances in spite of the fact that lakhs of people were involved. The Prime Minister of Pakistan, Mr. Liaquat Ali Khan, went to Lahore about the end of August and had to remain there continuously for four months so that he might give active help and advice to the Province. A Joint Refugees Council was immediately set up and the entire problem of evacuating those people who were moving in large convoys both in trucks and by train was controlled by this joint organisation. So far our activities have been more or less confined to matters in which we have not had in any way to interfere with the legal and executive concerns of the Provinces. As I have already explained, there is not the slightest intention of doing so in the future, but unless the Centre is prepared to take full responsibility for the rehabilitation work, it will be unfair to the Provinces to leave it entirely to them. In the first instance we are now at the stage where all-important matters have to be decided at Inter-Dominion level. The question of exchange of property of the value of—I cannot even guess how much money is involved—millions, in the resettlement of refugees who did not belong to one province only but who spread practically all over India and many Indian States. All these matters of exchange of property, adjustments, sales, etc., have to be decided at Inter-Dominion level. I submit, Sir, that those people who come to an agreement on these vital issues must have the power to see that those undertakings are implemented throughout their Dominions. If, unfortunately, something goes wrong at one place, in one Indian State or one Province, then the entire object of Inter-Dominion settlement is lost. I visualise that it will be only under such circumstances that the Centre may have to interfere with matters relating to the Provinces. Then, Sir, there cannot be different sets of principles for dealing with this problem in different Provinces. There must be a uniform policy throughout the two Dominions. It is only the Centre that can ensure that the policy will be uniform throughout the Provinces. Hence it is necessary that this Constituent Assembly should have the right to legislate whenever an emergency is declared. So far, if no serious situation has arisen in any Province, let me tell you, Sir, that this is due to the forbearance and unlimited patience

[The Honourable Mr. Ghazanfar Ali Khan.]

of the *Mahajirin* who have come into this country ; in fact I would give all the credit to those people. Those of us who had to see personally those large convoys entering into Pakistan, all property lost, all houses destroyed, their sons and relations killed, their girls abducted, hold that any Nation would feel proud of the dignified patience they showed and of their composure ; but we must not try their patience, we must not try their forbearance to the hilt. I am sure, Sir, that the future of Pakistan very much depends upon the solution of the refugee problem. I have no doubt of the co-operation of the people, and here I want to say that I have nothing but tributes to pay to the people for their sense of sacrifice and comradeship which they have shown in Pakistan towards their *Mahajirin* brethren. On the whole, they have been very hospitable. They have received them with open arms and have done all that was in their power to make them feel happy and forget the dreadful past. Sir, as I have said, the entire future of Pakistan is very closely connected with the solution of the refugee problem. I do hope that the Provinces will realise their responsibility and will not give cause to the Central Government to interfere either directly or indirectly ; but we cannot leave anything to chance so far as this problem is concerned. We must have a definite and clear-cut policy with regard to the solution of this problem and that policy, in very brief words, is that this refugee problem has got to be solved in the most economical way and in the quickest possible time. If it is solved in the Provinces, so much the better ; if it is not solved in the Provinces, the Pakistan Government will have to solve it, and I am sure this House will unanimously agree that the Pakistan Government should take over this responsibility now. Sir, that is the main amendment to section 102.

So far as the other amendments are concerned, they are consequential. Where in sub-section (5) of section 126 the words " peace or tranquillity " occur we have added the words " of economic life " ; and where in section 126A it is stated that the peace " of Pakistan is threatened by war ", the words " or economic life of Pakistan or any part thereof is threatened by war or any other action of a foreign Government or internal disturbance or circumstances arising out of any mass movement of population from or into Pakistan " have been substituted.

I will not take the time of the House, Sir, in discussing these amendments any further. I have no doubt that the House will not only whole-heartedly support the amendments but will in unequivocal terms show that they are alive to their duty and responsibility of helping the refugees in getting out of these present difficulties of ours.

Mr. Chairman : Motion moved :

"That the Bill further to amend the Government of India Act, 1935, be taken into consideration."

Mr. M. A. Khuhro (Sind : Muslim) : I want to say a few words, Sir, on the motion moved by the Honourable Minister for Refugees. The proposal is that sections 102 and 126 of the Government of India Act be amended giving power to the Central Government to declare a state of emergency and take over the work connected with the economic life of the country and the refugee problem. The Statement of Objects and Reasons, which is printed, says that experience during the last six months has shown that the

problem is very serious and six millions of people have crossed over to Pakistan and very nearly the same number has gone over to the other side. I quite agree, Sir, that after the 15th August the problem did become serious, particularly in the West and East Punjab. The entire Non-Muslim population of the West Punjab migrated to the East Punjab and *vice versa*; the entire Muslim population which belonged to the East Punjab and certain parts of Delhi and Punjab States went over to the West Punjab. That period indeed was very serious when huge mass of people were going on foot and in foot convoys or by bullock carts or other methods of transport or some of them by trains. Naturally it was not easy for the Provincial Government to cope with the problem which was serious. It was not anticipated at the time. The Pakistan State was established on the 15th of August, 1947. But, Sir, the point is that the real state of emergency existed during the course of those six months, I should say, immediately after the 15th of August, 1947, when this huge mass of population started migrating from one part of the country to the other. The difficulties described by the Honourable Minister are perfectly true and they are not exaggerated in the least sense. I entirely agree with him that these poor people have gone through very serious hardships and unprecedented difficulties during the course of transit. During this period, the Honourable Minister and the House is aware that the Government of West Punjab did their utmost to help in this matter and the Government of the West Punjab spent no less than Rs. 5½ crores during the financial year 1947-48 over this problem. The speech of the Finance Minister of the West Punjab Government clearly shows that even in the current financial year 1948-49 they have made a provision of about Rs. 6 crores to settle these refugees. As far as the Province of Sind is concerned, the rough estimate of the Provincial Government is that between nine and ten lakhs of people have come over to Sind from various parts of the country, most of them having come from the Rajputana States, Kathiawar States, certain parts of Bombay and even some from East Punjab, Delhi and the United Provinces. It is not easy to settle these people immediately and naturally it is bound to take time.

The Honourable Minister has not stated in the course of his remarks that the Provincial Governments have not done their best in this matter. I emphatically maintain that the Government of the West Punjab or the Government of Sind have done their utmost in this matter and have fully co-operated with the Government at the Centre and they have spared no pains and no money to solve this problem. All the officials of the Provincial Governments have fully co-operated and have done their best to minimise the difficulties and hardships that these poor people have had to experience because of leaving their own hearths and home and coming to this country new to them. The state of emergency can only arise and the Pakistan Government can take over this work if they come to the conclusion that the Provincial Governments are either incapable of solving this problem or that they are not co-operating in the matter of the solution of this very vital and important problem, and, Sir, as I have said the peak period and the most difficult period was from the 15th of August up to the present moment. This period of eight or nine months has already passed and we hope, Sir, that there will be no recurrence of this kind and that there will be no such mass migration from any other part of India into Pakistan areas.

Mr. Chairman : Are you opposing the motion ?

Mr. M. A. Khuhro : No, Sir, I am generally discussing and explaining my view-point and I am pointing out certain difficulties the Provincial Governments have in this respect. I will submit my proposal at the end but what I want to bring out, Sir, is this : that at the present moment there is no such emergency as existed at one time and all the arguments of the Honourable the Mover of the Motion has brought out were true at one time when this emergency did exist and if this power is to be taken for any such unhappy occurrence hereafter, then I can see that there is sense in that and Government should have that power. If the Provincial Government refuses co-operation or is not helping in the matter or the administration is most inefficient and is unable to deal with the problem then the Pakistan Government may have power to declare a state of emergency there and take over control, but normally it will be very dangerous—and it will have bad repercussions on the Provincial Governments and the people there—if the Government everywhere took to the practice of declaring a state of emergency and taking over the powers when the Provincial Governments were helping to the best of their ability and all their officials and their resources were available and they were whole-heartedly co-operating in this matter.

This problem has, of course, been discussed in the Party meeting and although at one time I had thought of opposing the motion altogether yet, after discussions that we have had, my proposal now to the Honourable the Mover of the Resolution is that he may give an undertaking to this Honourable House and through this House to the Provincial Governments that the power that he is taking by modifying and amending sections 102 and 126 A of the Government of India Act will not be freely used and whenever they declare that a state of emergency has arisen in any area, say, West Punjab, Sind, or any other Province in Pakistan, they must first consult the Government of that Province where they want to apply this emergency and they should do that after the consultation and concurrence of the Provincial Government in this respect is secured. In any case, the Provincial Government of that area must be previously consulted and informed what the Government of Pakistan propose to do in this matter. It is only fair that they should have adequate notice and they should have information of the reasons why the Government of Pakistan are declaring a state of emergency there and whether the reasons advanced are really sufficiently strong to warrant declaration of emergency in that area. And, therefore, Sir, I hope that the Honourable Minister in charge will make it clear while winding up the debate and give that assurance that the Provincial Governments will be previously informed, and they will be consulted in the matter and adequate notice of the step will be given to them before final decision is reached in the matter.

Alhajj Muhammad Hashim Gazder (Sind : Muslim) : Sir I rise to support the motion for consideration of this Bill. I am of opinion that this should have come much earlier. The condition of refugees is not very happy and their settlement and rehabilitation is far from satisfactory. Now that the Pakistan Central Government is taking over these powers, I hope that they will not give us an opportunity to criticise them for not doing anything after taking these powers. They will have no excuse that Provinces did not co-operate. Sir, I honestly feel that the Central Government should have done much more. Even under the present constitution, they have enough powers

under section 126A. They are empowered to give any direction to the Provincial Governments and if they did not comply with that they could remove them. Sir, one thing that I want to bring especially to the notice of the Honourable Minister for Refugees is this : that first and prior right for any property left by evacuees, either land, shops, factories, houses, is those of refugees. Lot of complaints have arisen because in Provinces these things left by evacuees have been given not to the refugees but to the local inhabitants. This was most scandalous and people who want good of refugees could never have tolerated and we would not tolerate that. I would submit to the Refugee Minister that his first action should be to call for figures of all allotments of shops, houses, factories, lands, etc., which have been given to the local residents and after getting these figures he should immediately resume and give them over to the refugees. One of the sorest points will be removed if this is done so. I whole-heartedly support the motion.

Mr. Nur Ahmed (East Bengal : Muslim) : Sir, I rise to support the motion under consideration. Sir, I must frankly say that it is very difficult to support the Bill which is a very extraordinary and special measure. But it is of utmost necessity that Provinces of the Federation of Pakistan should have full scope for autonomous development and growth, Sir, by this amendment, power is sought to be taken by the Centre for economic and industrial development of the units of Pakistan for the practical solution of the most pressing and difficult problem of rehabilitation and resettlement of mass humanity numbering 60 to 70 lakhs. Sir, in the past there had been migrations, e.g., from the Steppes of Central Asia ; but there is no incident in history where such movement of so mighty numbers of human beings from their homes and hearths, from their ancestral places, from their environments was forced by a series of cruel circumstances. In the past the nations had migrated out of their own free will. In this case they were forced to leave their homes, their native land, simply because this mighty human race happened to be Muslims. These people who were generally poor have suffered very badly in this migration for the sake of Pakistan. It is now the solemn duty of the Central Government of Pakistan to see that these people are rehabilitated and they are settled on a satisfactory basis so that their immense suffering, which they have already undergone, is mitigated to some extent.

Sir, it is these special and extraordinary circumstances which justify such extraordinary measure at this time. Sir, personally speaking, I would not have been a party to such a measure because it would have given extraordinary powers to the Central Government for future interference in Provincial affairs. As it is a temporary measure which is needed by the special circumstances of the hour, I support it. It is true, no doubt, that the problem which is before the Pakistan Government is of vital and of most pressing importance and it is clear that unless Government could have full power in their hands it would not be possible for them to solve the problem to the satisfaction of the unfortunate humanity.

Sir, some of the Provinces of Pakistan—why some, almost all the Provinces—are, if I may be allowed to say, in an embryonic state of formation. After partition, Bengal's and the Punjab's economic life was dislocated. If the Centre had not got some supreme power to control capital levy and other things, it would not have been in a position to advise Provinces to plan for industrial and economic development on an all-Pakistan basis. Sir, the

[Mr. Nur Ahmed.]

second reason which had led me to support the motion and which is very important is this: it is most fortunate that the architect, the founder of Pakistan, our beloved Quaid-i-Azam, who has won an epoch-making battle in history in the attainment of Pakistan, which stands supreme in human history, is at the helm of Pakistan. In Pakistan he has won a free, independent and sovereign State of Muslim majority and I think it will be necessary that he should be given all powers to build up Pakistan according to his own ideas and Islamic ideology to play the same role which Kemal Ataturk did in building the modern Turkey. He has been playing that part in building Pakistan, an ideal Muslim State, for after all it is the result of his own efforts. Sir, it is very near to his heart. He has got his own ideas which he has expressed more than once. I think he should be given full powers to develop Pakistan industrially and economically.

Sir, there is another reason which led me to support this motion,—that it is a temporary measure and is intended for such time as the constitution of Pakistan is not framed. So, there should not be any objection to this temporary power being given to the Centre and I think this power is also needed for the cause of suffering humanity; the vast number of refugees who had suffered very much in the past and are still suffering. I think, we should agree to this measure. With these few words, I support the motion under consideration.

Mian Muhammad Iftikharuddin (West Punjab : Muslim) : Mr. Chairman, Sir, the attitude of an ordinary member like myself with regard to the measure proposed by the Honourable Raja Ghazanfar Ali Khan is comparable to that of the ancient philosopher who when asked by a traveller as to how long it would take him to reach a nearby town, replied that he could not say. After the traveller had left him and gone a few steps, the philosopher stopped him and told him that it would take half an hour. Then the traveller came back and asked him as to why originally he did not reply to his query. The philosopher said he did not reply, because he did not know how fast or how slow the traveller walked. We do not know whether the present measure is going to be used for repression or for redress and reconstruction. My fears are that following in the footsteps of the old British bureaucracy, whom the Honourable Minister was pleased to quote when he mentioned Government of India Act of 1935, this measure or this amendment is going to be used for repression. And looking at the past eight month's role of the Centre and of our Government on the refugee and rehabilitation question, one's fears are not unjustified. The Central Government seems to feel that its responsibility comes mainly when it is a question of keeping order and it is a question of repressing people or shutting them up if they raise their voice.

Sir, the problem today is of such gigantic nature that whereas the Prime Minister of Pakistan as well as the Refugee and Rehabilitation Minister of Pakistan have spent a major portion of the last eight months in the affected areas, namely, the West Punjab, not much has been accomplished. They have not, unfortunately, interfered in the actual economic set up of that Province, which interference, provided it were done in a constructive and a calculated way, and were done also in a drastic manner, it would have solved the refugee problem. The Ministers there, no doubt, negotiated with the neighbouring Dominion with regard to the exodus of our brethren from

Eastern Punjab. That was a very important problem and they did their best to discharge their duties well in that regard. The Ministers had also wasted or spent a good deal of time in negotiating with India with regard to eva.uee property.

But I cannot say that the Ministers have felt the need to change the economy of the West Punjab. Sixty lakhs of new people have come into the West Punjab. It is said that forty lakhs of people have left. But actually these forty lakhs having left does not in any way solve the problem because the new sixty lakhs cannot be fixed or put in the gaps created by those who have left. It cannot be done immediately. It may take years for agriculturists of Eastern Punjab to become businessmen in Western Punjab. It may take years for a shopkeeper to come and set up a shop in any locality in West Punjab. Even if he is given a shop by the Government there, as is probably being done there, he does not know how to set up new business. Therefore, the problem is of one crore and eighty lakhs of people there. Sixty lakhs of new people have arrived. The old economic system, cannot under any circumstances, absorb these people. What has the Central Government done with regard to that? Have they taken up courage and told the Punjab Government to change the economic and agricultural system to suit present day needs? They have not done that. Nobody can blame the Central Government for appropriating the powers of the Provincial Government or for taking authority of anybody. But if the Government had taken courage to step in, it would have solved many problems of the refugees, about whom the public are made to believe that they have been actually absorbed, while it is not so. The Honourable Rehabilitation Minister has confessed that in his speeches. He knows that after the old stocks have been exhausted, after the hospitality of Western Punjab has been exhausted, after the little money or little jewellery and other little articles that they had brought with them had been sold, the refugee problem is going to become very acute in the West Punjab. Sir, we have not taken any action with regard to bringing about any radical change in the economic system of the Punjab. That will be the cause of misery, a misery which will be greater—and you will see this during the next one year or so—than that they had to undergo when they were turned out of the East Punjab. For this the Pakistan Government will be responsible partly and the blame will have to be shared by them. So I feel if this measure that has been brought is for the purpose of reconstruction, for the purpose if need be, of bringing about drastic changes in the economy of the Province, in order to meet present day needs, if this measure is brought for that purpose, the House will give its full approval. On the other, if this measure is put forward just to take the powers of the Government of Provinces in case there are any disorders (which may be created by the inefficiency of a particular Provincial Government or by the lack of interest or lack of courage of the Pakistan Government) then it will be following in the footsteps of the old British Bureaucracy which kept us slaves by repressing us, and found excuses later on for further repression by saying: "there are disorders and India cannot rule itself". So, as I said in the beginning we do not know to what purpose the Central Government is going to use these powers. If it is not going to be used for the purpose of repression, but for reconstruction and redress and for bringing about drastic changes to meet the present day needs everybody would welcome it. But if it is going to be used for repression and if the

[Mian Mohammad Iftikharuddin.]

Central Government is going to fail in its duty (because only when there is disorder they would step in) then I feel that this amendment will lead to unhealthy centralisation, and it will lead to dictatorial methods by the Central Government. Therefore, as I said in the beginning, we do not want to give approval to this amendment only in the hope that it will be used for reconstruction and redress.

Begum Jahan Ara Shah Nawaz (West Punjab : Muslim) : Mr. Chairman, Sir, I am very glad that at last the Central Government has realised the importance and the immediate necessity of taking over these powers, and by asking the House to curtail the limitations so that they should be able to undertake the necessary legislation and if necessary to bring about radical changes for ameliorating the appalling conditions under which the refugees are suffering so much. Sir, I was surprised to hear my brother, Mian Iftikharuddin, voicing his sentiments in this manner. He said that the Central Government was asking for wider powers but he was not sure that these powers may not be utilised for repression. With the same breath he said that the Prime Minister of Pakistan as well as the Refugee Minister had been touring the Province widely in West Punjab but they had not affected any great change in the economic system for absorbing the refugees. He said that in the same breath ; he said two opposites and has contradicted himself. How could there have been changes without powers, and now when power is asked for, should it not be given because of such opposition ? I am one of those who believe that we should not be chary of Central Government's encroaching on provincial spheres now. The days of full provincial autonomy are gone, and the time has come for us to have more or less a centralised form of Government, and when I say this I am voicing the sentiments of a majority of Members of this House. We should have no objection, and the House will have no objection to any of these powers being handled by our Central Ministers, if they were going to be utilised for the benefit of Pakistan people and the Pakistan State. My Honourable friend said that he felt that the Pakistan Government could not take any bold action in changing the economic system, if necessary. I would remind this House that our respected Quaid-i-Azam and our Honourable Prime Minister—the two personalities who have brought the nation to this height of glory, could not but take a bold action to bring about any change if it was required in the best interest of the State.

Sir, in supporting this resolution I would like to say that I have been very much disappointed with the Honourable the Refugee Minister's speech this morning. What I was looking forward to hear from him was how the powers that the Central Government was asking for would be utilised. Sir, I am voicing the sentiments of not only my electorate but the electorates of all the Members present in this House, when I say that it is our right to expect that when responsible Ministers of the Central Pakistan Government ask for such powers, they would place before the House at least an outline of how they are planning to utilise them.

Sir, I have a few constructive suggestions to make as I am not one of those persons who believe that when we come to this Honourable House and when we stand on the Floor of this Assembly, we should

only criticise the Government and place no constructive proposals before the Ministers. At the outset I would say that it is not any Provincial Ministry but the Central Government that alone is the proper authority that should tackle the refugee problem. The refugee problem is not different to all the problems that every Province in Pakistan has to face. These 78 million people that have come to Pakistan have come to stay here and if some—let us hope that a large number of them will go back—I am afraid, this may prove to be a mere pious hope. Most of them will have to stay here. That planned economy, which we hope to work upon, has to be undertaken in such a manner that these 78 million people should be absorbed as quickly as we possibly can. Then the question arises as to how to begin with it. Last time when I had the pleasure of speaking on the Floor of this House, I touched this subject briefly as there was very little time for me to do so. I hope, Sir, that on this occasion, I shall be allowed to touch some of the important items in the programme of economic reconstruction.

Sir, I believe that this portfolio should be placed in the hands of one of our ablest men in Pakistan and should not be treated as a second class subject. It is one of the main portfolios and it should be in the hands of a person with vision and imagination. That person should be instructed to secure the services of an outstanding economist from any country in the world. Sir, planned economy of our nation is inter-linked with the refugee problem and I would like to explain this further. Now, take the case of West Punjab. The refugee problem is the biggest problem in my Province than in any other Province of Pakistan. If anyone of my Honourable colleagues takes up the report of the Unemployment Committee of the Punjab Government, he will find that Punjab, which is a Province of petty farmers nearly eight per cent. of land belongs to the grower and the tiller of the soil. Unfortunately today two-thirds of these holdings are uneconomic. In order to have an economic holding in the Punjab, 17·11 acres of land is required and at present two-thirds of our petty farmers do not possess more than 6·8 acres of land. Now, not only have we to make these holdings economic either through the intensification of agriculture or by the additions of more lands, but at the same time, we have to cater for the growing population. This increase from 1920 to 1930—11 per cent.—and from 1930 to 1940 there was an increase of nearly 14 per cent. and now we envisage an increase within the next ten years of nearly 18 to 20 per cent. Over and above all that we have to absorb nearly six million refugees. Now, Sir, I ask you, how can these holdings be made economical by further fragmentation of land. We are dumping all our refugees into different districts giving them six acres of land by taking away all the land which should have been reserved in order to make all such small holdings economic for the new comers into the world.

Next, take the case of education. The Honourable Minister for Interior did not like my saying what I did in my first speech on the Floor of this House. Sir, I said that take up the 26 reports of all the Post-War Reconstruction Committees. You have comprehensive schemes chalked out in them, and the outlines in all these for us to take up and adjust them according to the changed conditions. For instance, the legislation which I wanted this House to take up was the anti-fragmentation and the anti-grazing legislation—important measures—that need our immediate attention and these should

not be left to the Provincial Governments. Now, take the system of education. This is not a question of Punjab alone, or one Province alone. It is for the whole of Pakistan and for the refugees as well. As you are aware 76 per cent. of our people live in rural areas. For them there should be nursery schools and then a good grounding of primary education so that they should not lapse into illiteracy. After this agricultural centres should be set up for them where they would learn to qualify for their vocation in life suitable measures for the intensifying agriculture, animal husbandry, etc. Then comes the rest of the 13 per cent. of our urban population. Out of them 9 per cent. are the industrial workers. 40 per cent. of our technical personnel demobilised after the war both in East and West Punjab has been rotting in rural areas when we are talking of rapid industrialisation of our nation. If we really mean to do it what about the collecting of this already qualified personnel and placing them in charge of industrial centres that should be established in rural areas. There is also a good grounding of primary education and after the seventh or the eighth standard, the boys should go into Industrial Centres which would become centres of skilled labour feeders for the big factories. Selected boys and girls from both the urban and rural areas should go in for higher education. Trained skilled labour should be absorbed in big factories and industrial concerns which we hope to set up in Pakistan. Selected boys only should be sent to Universities for higher education. People belonging to every cadre in society would fit in according to their aptitudes. Boys going into the Universities would enter Government services and then there would be no misfits in society and as the Belgian delegate said in one of the League of Nations Committees : "our greatest difficulty is such intellectuals roaming all over the world are, misfits in society".

Now, Sir, I was just talking of all this and I say because I feel that the refugee problem is not different from any other Province in Pakistan for men, women alike.....

Mr. Chairman : May I point out to the Honourable Member that all this is very interesting and instructive but I am afraid that you should not dilate upon it ?

Begum Jahan Ara Shah Nawaz : Sir, if you think that I have transgressed the limits, I am sorry. But as I have been pointing out the difficulties, through which our boys and girls are passing, are common to all, including refugees. The refugee problem is now different from what it was a couple of months ago. Hundreds of boys and girls who had been getting instruction in all the schools in East Punjab do not know where to turn to. They have applied for funds from the Quaid-i-Azam Relief Fund to the Provincial Governments but there is no hope for them. All these matters I feel are allied subjects and in asking for wider powers, the Government should place at least a bare outline of the schemes so that we should have an opportunity of discussing them.

The people of Pakistan, as the Honourable the Refugee Minister has said, are prepared to undergo any sacrifices. They are ready for any fundamental changes in our very living of every day, not only in the economic system but even in our every day living—changes that can be brought about according to our Islamic social system. If we, Sir, sit down or if my friend, Mian Iftikharuddin, sits down and studies that system, he will see that the

nucleus of the basic change that should be brought about is there. Now, Sir, I believe that the refugee problem is much worse today than it was some times ago and the Refugee Ministers, whether in the Provinces or in the Centre, who are to be appointed in the rear future, should be told that their work is not only to issue press statements and attend press conferences but that they should chalk out a plan for absorbing the refugees into our national economy with the help of an expert economist. This plan should be put into execution rapidly. The peoples' patience has been exhausted and there is no stamina left in the refugees. This fact can be testified by the Medical Assistants who are working in the camps and they will tell you that yesterday these people could stand epidemics and were able to resist the disease but today the refugees are a greater prey to such diseases. I, therefore, once again wish to remind the House that we should do away with those old systems. We should have a planned economic system of 5 years, 10 years, 15 years or 20 years. What is the target that we are aiming at? Britain in 1890 or what the Americans achieved in 50 years or what Russia has accomplished in 30 years! We should have a planned economy. We are prepared for any radical changes that may be required. I want to voice the sentiments of many of us that I have the honour to represent here that we are ready to hand over such powers as the Central Government would like to have with the request that a planned economic system should be chalked out so that within twenty years if not we, our future generations should feel proud of what all of us are doing today. With these words, Sir, I support the motion.

***The Honourable Khwaja Nazimuddin (East Bengal : Muslim) :** Sir, I am rather concerned with the speech that has been delivered by the Begum Sahiba. If I understand her correctly she is of the opinion that in all the matters which are exclusively dealt with by the Provinces, we may deal with them, on an All-Pakistan basis. This I am afraid is going to seriously affect the field of provincial autonomy (*Hear, hear*), and this is a thing which I am sure is against the original conception of Pakistan as well as the feeling and sentiment of the people of the various provinces. We are giving our support to this Bill because we feel that the refugee problem in Punjab is of such a large magnitude and on such huge scale that no Provincial Government can cope with it and it is essential that Centre should intervene and in co-operation with the Province try and tackle this problem. We also feel that the situation is so grave that the economy not only of Western Pakistan but the whole of Pakistan itself may be threatened if adequate steps are not taken for dealing with this problem quickly and properly but I feel that this power which is being entrusted to the Centre should be exercised very carefully and the distinction of taking over power and administering the affairs which are exclusively provincial should be resisted by the Centre and only where they find that the co-operation of the Centre is necessary and where they are genuinely satisfied that a state of emergency has arisen on account of mass movement of population from one area to the other, then and then only the power should be exercised. I also feel, Sir, that to be successful it is absolutely essential that they must carry the Province or Provinces with them. It is not possible for the Centre to administer a Province without the assistance of the Provincial Government because it is not possible administratively to set up an entire Central machinery in any Province for dealing with the question

* Speech not corrected by the Honourable Member.

[The Honourable Khwaja Nazimuddin.]

which is of a provincial character and they will have to rely on provincial administration and provincial officers for getting the work done and therefore it is essential that the co-operation and support of the Provincial Government must be with the Centre in getting their schemes through. I, therefore, hope that the policy of the Centre should be such that they have all the time the support of the Provincial Government in these matters. I find in the agenda an amendment from Treasury Benches suggesting the omission of one of the provisions of the Bill and I take it that this will be supported by Government and it will be accepted by the House where it is said that any other action of a foreign Government will also entitle the Centre to take over the powers in the Provinces. We feel that this is not necessary. Only the three conditions justify intervention of the Centre in the provincial field and this has been accepted and ought to be accepted by every body, namely, during a state of war or breakdown of the civil administration owing to internal disorder and the new one that we are putting in, namely, mass movement of population from one area to the other which threatens the economy of the State. I, therefore, support the Bill which has been moved by the Honourable Member.

The Honourable Sardar Abdur Rab Khan Nishtar (West Punjab : Muslim) : Sir, so far as the merits of the Bill are concerned, the Honourable the Refugee Minister has given an explanation of the necessity which made the Government move this Bill before this House. I feel, with all respect to some of the Honourable Members who spoke, that there seems to be a little bit of misunderstanding about the nature of this Bill. The most important section, which is dealt with in this bill is Section 102,— so far as the other amendments are concerned they are mostly of a consequential nature—it provides that the Governor-General has the authority by issuing an emergency proclamation to confer powers on the Federal Legislature to legislate with respect to those items which are at present included in the Provincial List. As you know, Sir, there are three Lists of subjects in the present Government of India Act : one is Federal List, and the items therein are within the jurisdiction of the Central Legislature ; the Province has nothing to do with it. The other is the Provincial List and the subjects mentioned therein are within the purview of the Provincial Legislature and the Centre normally has nothing to do with it. The third List is known as the Concurrent List and the subjects therein may be dealt with either by the Provincial or the Central Legislature as the case may be, subject, of course, to this condition that in case of repugnancy between the central legislation and the provincial legislation the central legislation shall prevail. What the amendment proposed by my Honourable friend seeks to do is this, that just as in the case of war and in the case of internal disturbances the Governor-General has got the power at present to issue an emergency proclamation and enable the Federal Legislature, after the issue of the proclamation, to legislate, if necessary, with respect to subjects that are mentioned in the Provincial List, similarly in certain circumstances when the economic life of Pakistan is threatened, the Governor-General shall have power to issue a proclamation.

Most of the Honourable Members while discussing this matter said that the Central Government is taking this or that power. I would submit, Sir, that this is not a correct statement of the nature of this legislation. What

is proposed is this, that the Governor-General will, if necessity arises—not immediately—issue a proclamation of emergency. The power of the Governor-General to issue such a proclamation has been extended to this extent that at present when there is war he can issue this proclamation, or when there are internal disturbances he can issue this proclamation, but in future it is proposed that if on account of the mass movement of the population the economic life of Pakistan is threatened, or the security of Pakistan is threatened, then also the Governor-General shall have similar powers. I fail to understand, Sir, that if in the case of internal disturbances—which is comparatively a minor question, a minor disease, a minor difficulty and a minor obstacle—the Governor-General has got the power to issue a proclamation and enable the Federal Legislature to legislate with regard to Provincial List, how can anybody stand with any show of reason to challenge the legitimacy and the desirability—or rather the necessity—of the Governor General being empowered to issue such a proclamation when the State is faced with such a big problem as has been created by the mass movement of population.

I would submit, Sir, that it was suggested by one of the Honourable Members, who is sitting towards my right—not just immediately right—that it was not a necessary legislation, and ultimately he felt that he was not on very strong grounds and the whole of this statement boiled down to this: that he hoped that when these powers are exercised the Provincial Governments will be consulted or informed of what the Central Government propose to do in the matter.

I was a little bit amused to listen to the very learned speech of Mian Iftikharuddin Sahib. He began by saying that he suspected that this legislation would be used for the repression of the Provincial Government.

Mian Muhammad Iftikharuddin: Or of the people.

The Honourable Sardar Abdur Rab Khan Nishtar: "Or of the people" as he says, and, therefore, he could not say whether he should support or oppose it. This was the sum and substance of his reasoning.

Mian Muhammad Iftikharuddin: I made it very clear.

The Honourable Sardar Abdur Rab Khan Nishtar: I would submit Sir, that so far as "internal disturbance" is concerned—on the ground of which people can be repressed—that phrase already exists. This amendment which is proposed has nothing to do with that aspect of life. This amendment relates to the question of threat to the economic life of Pakistan and his all arguments were directed in support of this. He said that the Central Government have failed to take over these powers. What he actually said was "failed to exercise" these powers. May I tell him that these powers did not vest in the Central Government and that is why the Central Government proposes that these powers should be vested in them so that they may be exercised. If the Central Government had exercised such powers then probably gentleman like Mian Iftikharuddin could legitimately stand up and say "You have no power, why are you acting illegally and without any jurisdiction?" He said that the mass movement of refugees is threatening the economic life of Pakistan and that he believes that when dealing with such a big problem a change

[The Honourable Sardar Abdur Rab Khan Nishtar.]

in economy is necessary, otherwise this problem will not be solved. And what is the aim of this legislation? The proposed legislation adds to the words "war" and "internal disturbance", the words "threat to economic life", which is exactly the object which Mian Sahib says the Central Government must have in view. The Central Government may say well if there is war we have the power to interfere, but if it is not war then an emergency proclamation on account of internal disturbances can be made, but some people may say well, strictly speaking the refugee problem does not amount to internal disturbances. Therefore, the Central Government have come forward with the proposed legislation because they feel that on account of this problem the economic life of Pakistan may be threatened. It is necessary in these circumstances—even according to Mian Sahib—that the Central Government should come in. It is proposed that you should give power to the Governor-General that if he feels that the economic life of Pakistan is threatened on account of the mass movement of refugees, he could declare a state of emergency. The Federal Legislature should be given the power to legislate. After that the Government will have to come to the Federal Legislature for legislation, if necessary. I submit, therefore, that this bill should be accepted, so that we may be in a position to come to this August House for legislation about certain matters which at present are included in the Provincial List. I would submit, Sir, that there is no question of an attempt to grab more power, or to take more powers. It is a question of taking responsibility and discharging that responsibility. At present it is always said—even the Honourable Members always stand up and say—well it is the responsibility of the Pakistan Government to do this; it is the responsibility of the Pakistan Government to do that. Morally it is so; legally unfortunately there are difficulties, and if this responsibility which the people feel is that of the Pakistan Government is to be discharged by the Pakistan Government and the Pakistan Legislature, this bill should be accepted. The Central Government is the machinery of the Legislature. This Legislature passes laws which are executed by the Government. What this amendment mainly seeks is to amend the Government of India Act with a view to empower the Governor-General in case of emergency to issue a proclamation of emergency and the effect of it will be that in such circumstances the Federal Legislature will have power to legislate—with regard to subjects which are now included in the Provincial list. Of course the Central Government is a machinery and the Central Legislature will have to execute these powers. I hope, Sir, that after this explanation there will not be even a murmur against the legitimacy and desirability of this legislation.

Begum Shaista Suhrawardy Ikramullah (East Bengal: Muslim): There have been objections to this Bill on account of interference with provincial autonomy. I beg to disagree with this part of the objection. As a matter of fact it is painful to see how over and over again the subject of provincial autonomy is brought forward. I find it alarming because it fulfils the prophecy of the enemies of Pakistan who said that after you get Pakistan you will founder on the rocks of provincial jealousies. Provincial autonomy is a legacy of the past for Provinces alone had some power and the Centre was entirely controlled by the British. I think we should get

rid of this fallacy and realize that Centre and Provinces are one. In both places we have got our own men doing our own work. Pakistan must more and more plan on an All-Pakistan basis particularly in economic sphere. All the resources of Pakistan are one and they should be developed to benefit every corner of Pakistan, developed to benefit those who have the do not share the optimism that as soon as the power gets into hands of resources, as well as those who have not. On the other hand, I am afraid I the Centre everything will be all right. I wish I did share it. My reason for not sharing the optimism is the same as Mian Iftikharuddin's. He says that the Honourable the Prime Minister and the Refugee Minister were for a considerable time in the Punjab but they did not interfere. I say that here in Karachi which has been the seat of the Central Government the refugees have been suffering and the Centre has not done anything to mitigate their suffering but they have still not interfered and the Honourable Sardar Abdur Rab Nishtar said that they have no legal power to do so. They will get legal power now. Let us see whether they will now interfere or not. But even before this they should not have bothered about the niceties of the legal power. The condition of the refugee camps here has been deplorable. They have been living in sub-human conditions. I think when the life and moral well-being of thousands of human beings is at stake and therefore the legal niceties should not stand in the way. Whether the Centre had legal power or not it should have made its influence felt more directly than it has hitherto done. It should not have bothered about the feelings of the Provincial Governments. The people were with them and they could have interfered with the Provinces irrespective of the fact whether it was legal or illegal. Now, they would have this opportunity. After all they have not been so very careful of provincial feelings in so many matters that I cannot understand why the refugees have been handed over to the tender mercies of the Provinces. They were met with extreme callousness in Hyderabad (Sind). There were hundreds of houses and shops empty there which could have been allotted to refugees but they were not allotted. The condition of refugees was deplorable at that place. Could not the Centre have interfered there? After all there was no procedure for handing over the refugees to the Provinces. Why were they handed over? The conditions were unprecedented and the Centre could have stepped in, even when there was no law to justify it. But I think the law is there.

The Honourable Sardar Abdur Rab Khan Nishtar : The law is not there unfortunately.

Begum Shaista Suhrawardy Ikramullah: They could have passed an Ordinance and taken the law in their hands. I end my speech by saying that I hope the Centre will take this power and exercise it for the people which alone justifies having any powers.

The Honourable Mr. Ghazanfar Ali Khan: Sir, I am very glad to notice that there has been all-round support to this measure. Criticism has been, no doubt, of a divergent nature but that is exactly what we had anticipated. There are certain Honourable Members of this House like my old and esteemed friend Khwaja Nazimuddin, who has given us a warning that we should use these powers very cautiously and should not interfere unless we think it absolutely essential. On the other hand, there are other

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members who have blamed us for not having interfered so far. Some of the members have gone to the extent of suggesting that we should not bother about legal niceties for the sake of the *Mohajirin*. Therefore the Government have followed a *via media*. I am personally of opinion that this measure does not go far enough. However, I am one of those people who believe that we should try to carry the Provinces with us as far as possible and we knew that it is only to this extent that in the present atmosphere we shall be able to get the all-round support of the Members, and I am very glad that the Honourable Members have supported it. This only shows that there is a realization of their responsibilities towards the solution of the refugee problem. Now, Sir, my Honourable friend, Mr. Khuhro, did not oppose the Bill but very strongly criticised it. I hope you will pardon me if I say that such criticism was only a question of a guilty conscience. I never said a word against the Sind Government or against the Punjab Government but Mr. Khuhro jumped to his feet and started praising the wonderful things that West Punjab had done, but that was only because he wanted to say what wonderful things his own Government had done. I did not intend to enter into that controversy, but as he has started that controversy, I must say that I do not agree with him in his praise of the previous Sind Government.

The Honourable Sardar Abdur Rab Khan Nishtar: Even with the word 'wonderful' you do not agree?

The Honourable Mr. Ghazanfar Ali Khan: Wonderful, no doubt, Mr. Khuhro knows too well.

Mr. Khuhro says that the refugee problem was only confined to the West Punjab. He said that this problem was a very serious problem so far as West Punjab is concerned because a large number of people from East Punjab came to West Punjab. So Mr. Khuhro still feels that so far as his Province is concerned this problem is not a serious problem. He thinks that just over a million of people coming into the Province, destitute and with everything lost, is not a serious problem for a Province like Sind. Another thing which Mr. Khuhro said was that the days of emergency had passed. The emergency existed from August to January or February or up-to-date. He said that emergency has gone. Well, Sir, any person—and a responsible person like Mr. Khuhro—if he thinks that the emergency has passed, I say, is living in a fool's paradise. The emergency has really not yet started but it is about to start. The question is of rehabilitating so many people.

As for the Begum Sahiba (Begum Shah Nawaz), I am very grateful to her for giving expression to her views on various subjects. Naturally a person of her experience and standing and international reputation whenever she wants to speak on any subject must include a very wide range of topics whether the subject is a narrow or broad. However, I can assure the Begum Sahiba that one of my serious grievances against the West Punjab Government was that in spite of my begging them so many times both privately and publicly to appoint a Refugee Minister they refused to do so and they have not as yet appointed a Refugee Minister. Of course they did appoint a Refugee

Minister in the beginning in the person of my Honourable friend, Mian Iftikharuddin. It created hopes in the mind of every body when Mian Sahib took charge of this responsibility and it was expected that this would help in the speedy solution of our problem; but Mian Sahib did not last for more than a few weeks and he had to throw up the job.....

Mian Muhammad Iftikharuddin : On the shoulders of Raja Ghazanfar Ali Khan.

The Honourable Mr. Ghazanfar Ali Khan : And somebody had to take it on whether he was Ghazanfar Ali or somebody else, as Mian Sahib would not do it. Mian Sahib is one of the most prominent members of the Punjab Assembly and, Sir, he must not forget that the position which he occupies is as important as that of the Premier of the Province. He is the President of that great Pakistan Muslim League Organization in the West Punjab and the Premier of West Punjab is the leader of the Parliamentary Party of the Muslim League. I wish Mian Iftikharuddin, with his wonderful literary knowledge of various things happening all over the world, particularly in Russia, had, during the regime of this Refugee Ministership, brought forward at least some scheme and put it before the Cabinet, even if the Cabinet had rejected it.

Mian Muhammad Iftikharuddin : It was put before the Cabinet and it is in writing with your Prime Minister.

The Honourable Mr. Ghazanfar Ali Khan : I am sorry I did not know this.

Mian Muhammad Iftikharuddin : Ask him ; why go far ?

The Honourable Mr. Liaquat Ali Khan (East Bengal : Muslim) : Sir, I rise on a point of personal explanation. It is true that Mian Sahib prepared a scheme, but before the scheme could be considered he just resigned. The fact of the matter is, I am sorry to have to say this, that Mian Sahib thought that the ship was sinking and so he must get away.

The Honourable Mr. Ghazanfar Ali Khan : I remember Mian Iftikharuddin having submitted a scheme. It was sent to the Joint Refugees Council but on the day fixed for its consideration Mian Sahib had finished and gone. May I request Mian Sahib in all seriousness that although in British time we were all used to destructive mentality and destructive politics yet after the establishment of Pakistan we have to change our mentality and methods. Let us forget what the British did and what we did to them. That is past history. Mian Sahib should know that to discharge a responsibility you have to have plenty of patience, forbearance and tact and you have to carry on with your people.

Mian Muhammad Iftikharuddin : As you have carried on.

The Honourable Mr. Ghazanfar Ali Khan : Yes, as I have been carrying on hitherto in spite of the difficulties in my way and I am proud to say that there was no serious rift between the West Punjab Government and myself. I do not mind a little difference of opinion on some minor details, but we have carried on for seven or eight months together and none of them resigned, nor did I resign.

Mian Muhammad Iftikharuddin : It is all right if you do not want to do anything, you can carry on for years.

The Honourable Mr. Ghazanfar Ali Khan : I do not want to enter into that argument, but now Mian Sahib is, again, at the helm of affairs in the Province, I do hope that Mian Sahib will kindly sponsor a bill either in this House or in the Punjab Assembly, where by its acceptance we can remove the grievances of the poor people and the refugees. Mian Sahib, I regret to say, has not asked a single question, nor moved a single resolution, nor given notice of a single Bill regarding the refugees either in the Punjab Assembly or in this House, of which he is a member and his activities....

Mr. Chairman : I do not think you need refer to all that.

The Honourable Mr. Ghazanfar Ali Khan : I request Mian Sahib not to suspect anything. There is no question of repression by the Centre. So far as economic changes are concerned, as long as the Provinces exist, they will have to be left to them. It will not be for the Central Government to go to the length of taking all responsibility which rests on the shoulders of the Province. The time may come when they have to do it. So far as my personal views are concerned, I entirely agree with Mian Iftikharuddin that unless there are radical changes in our economic life, it is impossible to solve the refugee problem. That is quite true, but we cannot do it just by destructive methods now. I have nothing more to say than that I hope Mian Sahib will henceforth take a most serious view of things.

Mian Muhammad Iftikharuddin : As you are going to take in Iran.

The Honourable Mr. Gazanfar Ali Khan : I say a word for Mr. Gazder. I am thankful to him for the constructive suggestions which he has made in the course of his speech. He has said that it is highly unfair for any local man to take possession of a land or a shop or a business or a factory left by the evacuees, which must go to the refugees. I say it is not only unfair, but, to my mind, it is most immoral and criminal for any person to have done that and I know, Sir, that there are a large number of such instances. If I had the power or if this House would saddle the Central Government with the necessary powers, I would immediately ask every Member of the Legislature, whether Central or Provincial, every close relation of these Members, every official and his close relations, every political worker and his close relations to make a declaration on oath that they are not taking possession rightly or wrongly of evictee property. Let me assure you that if we can do this—it will take a little time to bring in these radical changes in administration—if these usurpers, if these people who, through political influence, had taken possession of the evictee property, if they were only honest, if they had any conscience and if they would today get up and say that everything left by the evictees would be placed at the disposal of the refugees, I have no doubt that the refugee problem would be solved to a very large extent. Well, Sir, let me assure you that the mere fact that the Central Government did not pass an Ordinance and the mere fact that there comes a Bill so late as this for taking these powers just to enable them to declare an emergency shows that they were compelled to do so now, by force of circumstances and never in the past had they wished to interfere in the provincial sphere. That is the

reason why this Bill has now been brought before the House. We also realise that after this Bill is passed and becomes an Act, if anything goes wrong with the refugee problems seriously, the refugees will not listen to the Pakistan Ministers' explanation that it is a provincial measure, but they will hold them responsible for this. I have no doubt that the Provincial Governments will realise the delicacy of the situation, they will wake up and realise their responsibility and do everything in their power to put it right if they feel to do it. I have no doubt in my mind that this House will call upon its Executive to carry out the orders and to carry out the legislation which has to be passed by the Members of this House.

Mr. Chairman : The question is :

"That the Bill further to amend the Government of India Act, 1935, be taken into consideration."

The motion was adopted.

Mr. Chairman : We now take up the detailed consideration of the Bill. The question is :

"That Clause 2 stand part of the Bill."

Mr. Dhirendra Nath Datta (East Bengal: General) : Sir, I beg to move :

"That in sub-clause (1) of clause 2 of the Bill, the words 'or any other action of a Foreign Government' be deleted."

Mr. Chairman : Will he take them both ?

Mr. Dhirendra Nath Datta : Sir, I would take them one by one.

The Honourable Mr. Ghazanfar Ali Khan : Sir, I hope the Honourable Member will excuse my interruption. Government have considered Mr. Datta's amendments, and they are prepared to accept them.

Mr. Dhirendra Nath Datta : Sir, I am thankful to the Government for accepting the amendments.

Mr. H. S. Suhrawardy (East Bengal: Muslim) : But they should not shut us out from speaking.

The Honourable Mr. Ghazanfar Ali Khan : I had no intention of stopping him from speaking.

Mr. Dhirendra Nath Datta : Sir, I am thankful to the Government for accepting my amendment. It is an important amendment and I hope, Sir, that if this amendment is accepted, the spirit of the amendment will be realised and put into practice when the question of working out the scheme will come into effect. Sir, I want to say a few words, if you will let me speak on the subject. It seems to me, Sir, that this question of refugee problem is an all embracing one. We have heard interesting speeches that have been made by the respective Members of this House and we are fully aware of the enormity of the problem of refugees. Our State depends upon the solution of this problem.

Mr. Chairman : I think the Honourable Member can speak only on the amendment.

Mr. Dhirendra Nath Datta : Sir, what I intend to say by this amendment is this : We have given powers to the Central Government to legislate on subjects in cases of certain emergency. Sir, the emergencies are enumerated in Section 102 of the Government of India Act. The emergency may not occur. In case the security of the country is threatened by war or by internal disturbances then only under Section 102 of the Government of India Act, emergency power may be declared and the Honourable leader shall be empowered to legislate on subjects enumerated in the Provincial List. Now the power is sought to be extended in different ways. First is if the security is threatened by war, or if the economic condition of the country is threatened by war or internal disturbances or by any other action of a Foreign Government. Sir, these are very wide powers and we object to giving them to the Central Government. Already the Central Government has wide powers and if the Government intends to take powers from any Provincial Government it should utilise the powers.

The Honourable Mr. Liaquat Ali Khan : Sir, I am afraid we are having another general discussion on this motion. When the Bill is taken into consideration that is the time to deal with all the aspects of the problem. My Honourable friend should confine his remarks to the subject-matter of the amendment and he should not cover the whole ground which has been just covered by the speaker before the motion was put to the House.

Mr. Chairman : He is now speaking on the amendment only.

Mr. Dhirendra Nath Datta : What I was submitting was that the Government has wide powers and they are not utilising these powers sufficiently in order to give relief. Now I always have felt that Government wants more and more power but they do not utilise the existing power in order to give relief to the poor people. I feel that I should stop now from saying what I wanted to say as there may be objections from the other side, and therefore I do not say anything further.

Mr. H. S. Shurawardy : Sir, I fear

The Honourable Mr. Ghazanfar Ali Khan : Sir, the amendment has not been put.

Mr. Chairman : Amendment moved :
"That in sub-clause (i) of clause 2 of the Bill, the words 'or any other action of a Foreign Government' be deleted."

Mr. H. S. Shurawddy : Sir, I fear that in respect of this amendment Government ought to be supported. The amendment is certainly an improvement on the original Bill and we are glad that the Government has accepted the amendment. I am not, Sir, dilating on the vexed question of the encroachment by the Centre of provincial powers. If the conditions which we see around us continue, it may be that this Legislature instead of being called the Federal Legislature of Pakistan will become the Union Legislature of Pakistan. Instead of this being called the Federation of Pakistan, it may be described by a better nomenclature as the Union of Pakistan.

Mr. Chairman : Does he want to speak generally on the subject? If so he should do so when the third reading comes.

Mr. H. S. Suhrawardy : If you will let me finish, I will speak one or two sentences more and then sit down.

Mr. Chairman : Have you to say anything on the amendment?

Mr. H. S. Suhrawardy : I say certainly it has a bearing on the amendment in as much as the amendment is taking away some of the powers which the Pakistan Government intended to assume.

Mr. Chairman : Do you want to oppose the amendment then?

Mr. H. S. Suhrawardy : I said I would support it.

Sir, I would, if I may, although it has nothing to do with the Bill itself, request the Honourable Members of the Government who are in a privileged position to refrain from personal attacks on the rather insignificant Members of this House. It places them in very great disadvantage and we earnestly trust that the performance will not be repeated.

Sir, there is another aspect regarding the merits of this amendment that I would like to refer to, and that is that a great deal of the problem of settling the refugees will be obviated if at the same time the Central Government directs its attention to creating such conditions as may enable the refugees to come back to their original homes. That is all I have to say.

The Honourable Mr. Ghazanfar Ali Khan : What is the relevancy to the amendment?

Mr. Chairman : The question is:

"That in sub-clause (1) of clause 2 of the Bill the words 'or any other section of the Foreign Government' be deleted."

The motion was adopted.

Mr. Dhirendra Nath Datta : Sir, I move:

"That in sub-clause (2) of clause 2 of the Bill, the words 'or any other action of a Foreign Government' be deleted."

Mr. Chairman : The question is:

"That in sub-clause (2) of clause 2 of the Bill, the words 'or any other action of a Foreign Government' be deleted."

The motion was adopted.

Mr. Dhirendra Nath Datta : Sir, I move:

"That in sub-clause (2) of clause 2 of the Bill, the words 'or of any such action' be deleted."

Mr. Chairman : The question is:

"That in sub-clause (2) of clause 2 of the Bill, the words 'or of any such action' be deleted".

The motion was adopted.

Mr. Chairman : Now, the question is :

"That clause 2, as amended stand part of the Bill."

The motion was adopted.

Clause 2, as amended was added to the Bill.

Clause 3 was added to the Bill.

Mr. Chairman : The question is :

"That clause 4 stand part of the Bill."

Mr. Dhirendra Nath Datta : Sir, I move :

"That in clause 4 of the Bill, the words 'or any other action of a Foreign Government' be omitted."

Mr. Chairman : Amendment moved :

"That in clause 4 of the Bill, the words 'or any other action of a Foreign Government' be omitted."

Khan Sardar Bahadur Khan (N.-W. F. P. Muslim) : Sir, this amendment mitigates against the rigour of the measure before the House, if at all there is any rigour in it and satisfies the vanity of those who pioneer the cause of Provincial autonomy, even at a very heavy cost of efficiency and honesty to the nation. Sir, I would make an appeal to them not to stretch it so far, and let me tell them that the common man is not in the least interested as to who governs him : somebody in Karachi, Dacca, Lahore or Peshawar. All he is interested in is that he should have a reasonably efficient and honest system of administration which unfortunately is being denied to him in certain units of Western Pakistan. I hope efforts will be made by those who want to guard the autonomous character of the Provinces jealously to see that the Provinces are run in better way than is the case today.

Mr. H. S. Suhrawardy : Sir, this is a very important statement made by the Honourable Member. He is, I believe, one of the limbs of Government. Is it the policy of Government that all Provincial Governments should be superseded in the interest of efficient administration ?

The Honourable Mr. Liaquat Ali Khan : Sir, I do not know why my Honourable friend thought that that was the policy of the Government. Perhaps my Honourable friend does not realise that in the Constituent Assembly when it does not sit as Legislature, there is no Government inside the House. Every Member of the Constituent Assembly has got equal privileges and equal responsibilities. I may, however, state that I cannot shake off the office for two or three hours and make people feel that I have no responsibility when I am sitting as a Member of the Constituent Assembly. The Government wants the Provinces to be as free to govern well as they desire to be. The Central Government could only come to the assistance of the Provinces. Sometimes you can assist a Province by making them govern well.

Alhajj Muhammed Hashim Gazder : Sir, I would like to ask Khan Sardar Bahadur Khan whether he is asking that Provincial Autonomy should be abolished and whether he tried to hold a public meeting and take the view in the matter that the Frontier should be abolished ?

Mr. Chairman : That is not a relevant question.

Khan Sardar Bahadur Khan : Sir, I think, I owe an explanation to him. I am afraid I have been misunderstood by Mr. Muhammad Hashim Gazder. That is not my idea, on the contrary, I am just as much jealous of Provincial Autonomy in this House as anybody else is. But let me tell him in very clear and unequivocal terms that it is the business of this House to see that in the Provinces, people at the helm do not make a mess and if they do so, there should be somebody to check it and that somebody is the Constituent Assembly and Pakistan Government.

Mr. Chairman : That does not come under the purview of this House at all. The question is :

"That in clause 4 of the Bill, the words 'or any other action of a foreign Government' be omitted."

The motion was adopted.

Mr. Chairman : The question is :

"That Clause 4, as amended, stand part of the Bill."

The motion was adopted.

Clause 4, as amended, was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Mr. Ghazanfar Ali Khan : Sir, I move :

"That the Bill, as amended, be passed."

Mr. Chairman : The question is :

"That the Bill, as amended, be passed."

The motion was adopted.*

The Honourable Khwaja Shahabuddin (East Bengal : Muslim) : May I request you, Sir, to kindly take this item* as the last item on the Agenda and take up the other items first ?

Mr. Chairman : Is there any objection to that ?

Several Honourable Members : No, Sir.

The request was agreed to.

THE INDIAN INDEPENDENCE (SECOND AMENDMENT) BILL

The Honourable Sardar Abdur Rab Khan Nishtar (West Punjab : Muslim) : Sir, I beg to introduce the Bill† further to amend the Indian Independence Act, 1947.

* Resolution re : Location of the Capital of Pakistan at Karachi.—*Ed. of Deb.*

† Published in the *Gazette of Pakistan Extraordinary*, dated the 19th May, 1948, as provided under Rule 43 of the Constituent Assembly Rules.—*Ed. of Deb.*

The Honourable Sardar Abdur Rab Khan Nishtar : Sir, I beg to move :

"That the Bill further to amend the Indian Independence Act, 1947, be taken into consideration."

Sir, the reasons which necessitated the moving of this amendment have been stated in the Statement of Objects and Reasons. According to the present section 10 of the Indian Independence Act, the Government—it is contested by some—have no power to touch parts of the famous steel frame of Mr. Lloyd George. This attitude is inconsistent with the position of a Sovereign State like Pakistan, but with a view to avoid any doubt and remove it, it was considered necessary to move an amendment to section 10 on which the stand is taken by those who advocate the rights of I.C.S. and other people who have been appointed by the Secretary of State or used to be appointed by the Secretary of State in pre-partition days. The financial position and difficulties of Pakistan are known and in such circumstances, probably, everyone of us will have to be called upon and has been called upon in the past that he should show some sacrifice in the interest of the State and there is no reason why a certain section of the employees of Pakistan Government should escape. Personally I feel, Sir, that when the cut is imposed, there will be no objection to it from those who are intended to be brought within the jurisdiction of the Central Government for this purpose because I know they have got sufficient sense of patriotism to stand such a sacrifice. The only question is to legalise it so that there will not be any doubt about it and for that purpose this amendment is being proposed.

Mr. Chairman : Motion moved :

"That the Bill further to amend the Indian Independence Act, 1947, be taken into consideration."

Mr. Nur Ahmed (East Bengal : Muslim) : Sir, it is a very useful measure brought in this House. Sir, it is admitted on all hands that Pakistan is a poor country and I am aware of the impediments that have been placed in its way which are hitherto unknown in the history of the world.

Sir, as I said, it is a very useful measure and it deals with the amount of salary which should be paid to the officers of Pakistan Government. The changed circumstances have necessitated such a measure and I hope it will get through successfully.

Sir, I have had to go through the comparative figures of salaries that are paid in other countries. I have found that in Turkey, the President and Minister all get salary not more than five hundred rupees and no public servant gets a salary of more than Rs. 500 a month. In Japan the scale of salary is very low and there is a provision there that no Government servant will be paid higher salaries and that the salaries will be in line with the level of annual national income. Even in the U.S.A. and U.K. the scales of salaries are lower than that of India and Pakistan as compared with annual income of an individual in those countries. I, therefore, appeal from this House to all those who are affected to take it in the spirit of sacrifice and they should feel that they are building up their own motherland and they are the servants of the free people and not servants of a bureaucratic government and therefore sacrifice is needed in all directions. With these few words, I support the motion.

Mr. Chairman : The question is :

"That the Bill further to amend the Indian Independence Act, 1947, be taken into consideration."

The motion was adopted.

Mr. Chairman : Now, we take the Bill clause by clause. The question is :

"That clause 2 stand part of the Bill."

Mr. Dharendra Nath Datta (East Bengal : General) : I move :

"That in the proviso to clause 2 of the Bill, the words 'other than persons of non-Asiatic Domicile' be deleted."

Sir, I know the object of the Bill and I am quite prepared to support it but I do not see any reason why there should be any distinction between members of the same service belonging to the Pakistan or to India and others belonging to other countries, i.e., non-Asiatics. Certainly I do not like to raise the question now of the controversy of the services. It is better, Sir, to forget the past history of the British rule and I feel that we must establish good relationship between India and Pakistan. But, Sir, I believe that most of the people who are in the Civil Service are Britishers and I think, Sir, if they want to serve Pakistan they also must agree to cuts, in their salaries and there should be no distinction made. I want to know why the Government seeks to put a distinction between those of India or Pakistan domicile and those of non-Asianic domicile. With these words, I move this amendment.

Mr. Chairman : Amendment moved :

"That in the proviso to clause 2 of the Bill, the words 'other than persons of non-Asiatic Domicile' be deleted."

The Honourable Sardar Abdur Rab Khan Nishtar : Sir, I appreciate the spirit behind the amendment. There is no question of making any distinction from this point of view that the non-Asiatics are superior to our people. The real point behind this legislation is that the Nationals of Pakistan are going to be called upon to make sacrifice. So far as the outsiders are concerned, they are mercenaries. They have been employed temporarily for a certain period on a certain pay and therefore the question of calling upon them to accept reduced pay does not arise. So I hope he will understand why this distinction has been made between non-Asianic and Asianic.

Begum Shaista Suhrawardy Ikramullah (East Bengal : Muslim) : Why legislation ? Why not ask the nationals directly ?

The Honourable Sardar Abdur Rab Khan Nishtar : So far as the question put by the Honourable Member over there is concerned, we decided in the beginning to leave it to the gentlemen concerned to agree to voluntary cut but after full consideration and discussion they have come to this conclusion that if it is left entirely to every individual then one will agree to one cut and another to another and there will not be uniformity which is not desirable. We were told by their representatives that if the Government introduces legislation and orders a uniform cut then they will have no objection, and that will be good because all will be treated alike. It was on account of that that this legislation was considered necessary.

Mr. Dharendra Nath Datta : May I ask a question, Sir ? Whether the Honourable Minister has also consulted the non-Asiatic people in this regard and whether they are agreeable to this cut in view of the emergency ?

The Honourable Sardar Abdur Rab Khan Nishtar : On this point, the position is that we are calling upon the Nationals of Pakistan to make sacrifice in the interests of Pakistan. The position of non-Asiatic people in our country is this that they have come on payment of certain salaries and to render service to you. So far as they are concerned there is no question of calling upon them to make sacrifice for your State.

Mr. Dharendra Nath Datta : Certainly Government have the power to do so.

The Honourable Sardar Abdur Rab Khan Nishtar : We have the power but the powers are to be exercised with discretion.

Mr. Chairman : The question is :

"That in the proviso to clause 2 of the Bill, the words 'other than persons of non-Asiatic Domicile' be deleted."

The motion was negatived.

Mr. Chairman : The question is :

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sardar Abdur Rab Khan Nishtar : Sir, I move :

"That the Bill be passed."

Mr. Chairman : The question is :

"That the Bill be passed."

The motion was adopted.

Mr. Chairman : Khwaja Shahabuddin, do you want to move your motion now or would you like to move it at the next sitting ?

The Honourable Khwaja Shahabuddin (East Bengal : Muslim) : It is entirely up to you. If you want that it should be moved now and discussion carried on now or if you want that the Assembly be adjourned till 5 P.M. I will move it then. Whichever course you like, I am prepared to accept.

Mr. Chairman : Do you want to move it now ?

The Honourable Khwaja Shahabuddin : No, Sir. I think it is twenty past Twelve and the discussion is likely to take long so I would respectfully suggest that the motion be taken up in the afternoon session of the House.

Mr. Chairman : The House stands adjourned till 5 P.M. today.

The Assembly then adjourned till Five of the Clock, in the Afternoon, of the 22nd May, 1948.

The Constituent Assembly of Pakistan re-assembled at Five of the Clock, in the Afternoon, Mr. Chairman (Mr. Tamizuddin Khan) in the Chair.

RESOLUTION RE : LOCATION OF THE CAPITAL OF PAKISTAN AT KARACHI

The Honourable Khwaja Shahabuddin (East Bengal : Muslim) : Sir I beg to move :

"This Assembly resolves:

- (a) that the capital of Pakistan shall be located at Karachi;
- (b) that all executive and administrative authority in respect of Karachi and such neighbouring areas which in the opinion of the Central Government may be required for the purposes of the capital of Pakistan shall vest in and shall be exercised by or on behalf of the Government of Pakistan, and the Legislative power shall vest in the Federal Legislature; and
- (c) that notwithstanding anything in any law for the time being in force, the Government of Pakistan shall proceed forthwith to take such steps and adopt such measures as may be necessary to give effect to the purposes of this motion."

Sir, this Resolution is comprised of three parts. As far as part (a) is concerned, I think there is no room for doubt that by virtue of its present position and the possibilities of its future development, Karachi is the best choice for the Capital of Pakistan. With regard to (b) and (c), I should like to express the hope that the question of the administration of Karachi will be viewed calmly and dispassionately.

Sir, it is regrettable that in the past this question got mixed up with sentiment, prejudice and other extraneous factors, leading to unpleasant controversy. I do not think, Sir, there is any reason why heat or acrimony should be imported into this discussion. We should consider the question from the point of view of the State. We must not allow provincial, regional, or parochial interests to govern our decision. Sir, there are people who are interested in these slogans but we must be aware of these people and let us remember that in all our decisions our capacity will be judged by our willingness to subordinate our provincial and regional considerations in the best interest of the State. Sir, I do not know how an impression has got abroad that if the control of Karachi is taken over by the Central Government the town will be lost to the Sindhis. I do not see any reason to hold such a view because although it is true that Karachi will be developed and governed in the interests of Pakistan but it is also an inescapable fact that having regard to the situation the people of Sind will benefit from the development of Karachi far more than the people of other Provinces. Sir, what happened when Calcutta was the Capital of United India. Bengal did benefit by it. All the Government appointments and places were filled up by Bengalis and it was considered by Bengalis a great misfortune when the Capital was removed to Delhi and, I am sure, the Members of this House—at least some of them—would be old enough to remember that since the transfer of the Capital to Delhi gradually the number of Bengalis

[The Honourable Khwaja Shahabuddin.]

began to dwindle and decrease from the services of the Centre and before the partition of India there were very few Bengalis in the Central Services and in the Central Secretariat. So, therefore, Sir, there is every reason to hold that if the Capital is situated in Karachi then the Sind people will benefit a great deal.

Sir, as I have said there is very little room for any dispute as to where the Capital should be located. There is a good deal of agreement that it should be in Karachi. The only point of dispute is whether the control and administration of Karachi should remain in the hands of the Provincial Government as it is now, or, should pass on to the Centre. Sir, I do not think I need stress this point much ; because the question is so obvious. The Capital of a State, where the Central Government will be located, cannot remain under the control of any authority except the Central Government ; all the precedents are also—constitutional precedents—in its favour. As you are aware, Sir, constitutionally the work is broadly divided into two systems—federal and unitary. As far as the Federal Government is concerned all the Capitals of Federal Governments are controlled and administered by the Centre. The cases of U.S.A. and Australia can be cited as examples. Then, Sir, as far as I know some of my friends would try to cite the instance of Calcutta when both Centre and the Provincial Governments were in Calcutta and the administration of Calcutta was in the hands of the Bengal Government, but I hope that no one would seriously try to advance that argument because in those days the Provincial Government had no autonomous power. It was a subordinate Government to the Centre. It was governed by the Lieutenant-Governor. So, as far as Calcutta is also concerned, I do not think it can be cited as an example against the arguments that I have advanced in favour of having control in the hands of the Centre. Now, Sir, as far as the development of the Capital is concerned the whole problem is of such magnitude that anyone who has got a little imagination and who can visualize what would be the position of Karachi in the not very distant future, can easily come to the conclusion that it will be a problem too big for any Provincial Government to handle. Sir, there are people who expect that not in the very distant future the population of Karachi alone should go up to anything between 3 to 4 millions. With the increase in population, amenities for civic life and other incidental requirements would increase and consequently it would become too big a problem for one Provincial Government to deal suitably. It is not a question of finance alone ; it is a question of planning which requires authority and resources which a Central Government alone can possess : one cannot expect the same resources from the Provincial Government.

Then, Sir, as you are aware, at the seat of the Central Government we have got such a large number of representatives of various foreign Governments—the diplomatic corps—which is attached to the Central Government. They remain in the capital of the State as the guests of Central Government. How careful the Government should be in their treatment to the members of the diplomatic corps is evident. It is not possible for any Central Government to leave the matter of looking after of these diplomatic representatives in the hands of a Provincial Government. Sir, all these facts are sufficient to convince anyone that once it is decided that Karachi should be the Capital, the control and administration must vest in the Centre. Now, Sir, I would like to take this opportunity of assuring the Members of the House, as well as

anyone connected with the Sind Government, that we have not the slightest intention of asking the Sind Government to go out of Karachi. On the other hand, we do want them to stay in Karachi. Apart from anything else, from the financial point of view alone it will be most imprudent either for the Centre or the Province to embark on any large or ambitious scheme of building of new Capital. And, therefore, Sir, it is also advisable that the Centre and the Province should remain and function in Karachi. The only thing that we are saying is that while for the last eight or nine months the Centre was in Karachi as the guest of the Provincial Government, the position should be reversed now and we should be given the privilege of becoming the host and the Provincial Government should continue here as our guest and we promise them that we would try to look after them as best as possible. That is the position that we are advocating.

Now, Sir, if you decide that both Governments should remain in Karachi, surely nobody would disagree that the control and administration should remain with the senior Government. Then, Sir, another point might be raised : what about the various institutions now owned and administered by the Sind Government, like the University, Hospital, Medical College, and other similar institutions. Sir, as far as these institutions are concerned, we would welcome the Sind Government to continue to administer and develop them and we shall not interfere as far as these institutions are concerned. Another point may be raised and that is the financial aspect. As regards that, I can only say at this stage that the Central Government do not intend to cause any financial loss to the Sind Government and when the time comes the matter will be considered most sympathetically, and we hope we will be able to come to an agreement over that question.

Now, Sir, there is only one question that remains for me to deal with, i.e., my friend, Prof. Chakraverty's amendment which he has tabled, that parts (b) and (c) of my Resolution which deal with the administration and control of the capital should be postponed today and a consultation and discussion should be held with the Sind Government. As far as that is concerned, I may inform my friend that a small committee of the Officers of the two Governments of equal numbers was set up to examine this question, but there was so much divergence of opinion between the two Governments that no unanimous report could be available. Then, Sir, about two days ago, a meeting was held on the ministerial level. Members of the Cabinet Committee, namely, the Honourable Ministers for Finance, Education, Communications and myself met the Honourable the Premier and his three other Honourable colleagues. I have got sufficient parliamentary experience not to divulge the proceedings of that meeting, but I can assure you that we have had a free and frank discussion and we tried to understand the view-point of each other with complete sympathy and understanding. So, therefore, the reason which was advanced by my friend, Mr. Chakraverty, for the postponement of parts (b) and (c) of my Resolution in order to enable these two Governments to confer, has already been done. There is, therefore, no point in postponing the consideration of that part of the Resolution also.

Mr. M. A. Khuhro (Sind : Muslim) : Was any agreement reached ?

The Honourable Khwaja Shahabuddin : Sir, I have said I am not going to fall into the trap of divulging the proceedings of the meeting. I am

[The Honourable Khwaja Shahabuddin.]

sorry I am not going to answer that question of Mr. Khuhro which must be with some purpose. However, I have nothing further to add about that meeting. As I have already said, we tried to understand each other's point of view and our discussions were free and frank.

Alhajj Muhammad Hashim Gazder (Sind : Muslim) : Was there any coercion from the Centre ?

The Honourable Khwaja Shahabuddin : I can assure my friend, Mr. Gazder, that there was not the least coercion on the part of the Central Government.

Now, Sir, the point remains why there is need for this Resolution to be passed at an early date. Sir, you know that very important questions are pending on the final decision by the Constituent Assembly about the location of the Capital, as well as which Government will be the controlling and administering authority. There are a number of industrialists and commercial people who are waiting for this decision. Then, Sir, there are a number of diplomatic representatives who are waiting for the decision about the location of the capital, its future control and administration. All these questions make it imperative that we should come to a decision as soon as possible. Sir, I do not think I need take the time of the House further. I hope this explanation of mine will be found sufficient by my friend, Mr. Chakraverty, and he would not press his amendment. Sir, I commend my motion to the House.

Mr. Chairman : Motion moved :

"This Assembly resolves:

- (a) that the capital of Pakistan shall be located at Karachi;
- (b) that all executive and administrative authority in respect of Karachi and such neighbouring areas which in the opinion of the Central Government may be required for the purposes of the capital of Pakistan shall vest in and shall be exercised by or on behalf of the Government of Pakistan, and the legislative power shall vest in the Federal Legislature; and
- (c) that notwithstanding anything in any law for the time being in force, the Government of Pakistan shall proceed forthwith to take such steps and adopt such measures as may be necessary to give effect to the purposes of this motion."

Prof. Raj Kumar Chakraverty (East Bengal : General) : Sir, I beg to move the following amendment :

"That the consideration of clauses (b) and (c) of the motion be postponed and the views of the Government of Sind be ascertained in the meantime."

Sir, as you will see from my amendment that I do not object to the location of the Capital of Pakistan in Karachi. All that I plead for is for the postponement of the consideration of the question of taking over the administration of Karachi from the Sind Government, for some time to come. Sir, in moving this amendment I do so, not so much from a spirit of opposition as for some clarification on some of the points on which we want light and that too very badly. We know this much that there has been a sharp difference of opinion over the taking over of the administration of Karachi from the Sind Government, between the two Governments—the Central and the Provincial Governments. We know also that the feelings of the people of Sind are running very high over this question. I confess, all the facts and figures are not known to us or have not been

disclosed. Sind is vitally interested in this matter and I feel we should not do anything without giving the Sind Government a chance to say their say to us ; I mean the Government of Sind should have a hearing. The Legislature of Sind should be consulted for their opinion so that we could be in a position to give our verdict impartially on this matter.

Sir, I shall not be satisfied with any discussion on the Cabinet level between the two Governments, because I know, very unfortunately Sind is now passing through a Ministerial tangle, and a Minister of today does not remain a Minister there tomorrow. So even if there was any agreement between the Central Cabinet and the Sind Government, I would not attach much value thereon. What I want is the opinion of the Legislature of Sind which is fully representative of the people of Sind. Sir, I want to hear the reasons from the Honourable mover of the Resolution which should persuade us to give our verdict in favour of this motion. We have not been able to know the reasons as to how Karachi, being a part and parcel of the Province of Sind, is hampering the growth of Pakistan so far. We wanted to get more details on this matter and more facts. The Honourable mover who is a parliamentarian of long standing said in his diplomatic way that there has been "free exchange of views between his Government and the Government of Sind", but he told us nothing definitely about the decisions arrived at the conference. Well; he has mentioned that Karachi is the seat of the diplomats of different foreign countries and therefore it should come under the jurisdiction of the Central Government. I do not think that is a sufficient reason for taking over the administration of Karachi from Sind. If you want to develop Karachi, you have passed the Karachi Port Trust Act already a few days ago, by which you may take over the administration of Karachi Port. That is most important in the development of Karachi and Sind, and you can develop the Port as much as you want, and there will be no objection to that on the part of anybody.

All that I plead for is that more details should be placed before the House and we should have more light on the situation. Sir, Karachi is the soul of the Province of Sind, nay, it is the nerve centre of the Province of Sind. **Minus** Karachi, Sind is a desert and nothing but a desert. Sind will lose all its importance if Karachi is taken away. That is a fact and I challenge anybody to say otherwise. Sind was a deficit Province before the war and I believe if Karachi is taken away from the bosom of Sind, it will become a hopelessly deficit Province.

It must be mentioned therefore that Sind must be given some subvention from the Centre. We have been told nothing about the subvention that the truncated Province of Sind may expect from the Central Government. What is the annual subvention which the truncated Province will get from the Centre? No light is thrown on this. What is the capital expenditure that will be given to the Sind Government for the construction of any new Capital or new city? No light has been thrown on that also. If no subvention is given, and if Karachi is taken away from Sind, well, I am afraid, there is reasonable cause for apprehension that Sind **minus** Karachi may be annexed to the Government of West Punjab. That is a state of things which is not desirable, in the interests of Sind, in the interests of the culture or language of Sind or the integrity of Sind or from any other point whatever. Sir, when Pakistan was born there was quest for a suitable Capital of Pakistan. The question of Capital of Pakistan was hanging in the air. It was very generous and very good of the Sind

[Prof. Raj Kumar Chakraverty.]

Government to offer to the Pakistani Government a site for their headquarters.

Let us acknowledge with gratitude the generous part that Sind has played as host in this matter. But now I find, very unfortunately the guest is going to oust the host. That was one of the reasons which were advanced by the Honourable Khwaja Shahabuddin. He says, "let the host be not afraid of anything". Only the guest is going to oust the host and nothing more and nothing less. If this is good logic and reasoning, let the hosts of the world beware before they entertain any guest hereafter. That is a good lesson for all the hosts of the world. I should like to say in the words of Shakespeare, "this is the most unkindest cut of all". No one ever expected that the host will be ousted by the guest.

Anyway if you have to take away Karachi from the bosom of Sind, may I plead with all humility that you may do it with good grace, and do not take it unceremoniously. The sentiments of the people of Sind have been deeply associated with Karachi for generations, and we should be cautious before we proceed in the matter. We should do nothing to lose the sympathy and co-operation of the people of Sind over whose soil we are going to develop the Capital of Pakistan. So I say, please consult the Government of Sind and proceed cautiously in the matter. Sir, my idea of the Government of Pakistan is that it should be a federation of certain autonomous Provinces and States. As a matter of fact if I remember aright, that was the basis of the famous Lahore Resolution on Pakistan, viz., the Provinces would have autonomy. If Karachi is taken away in this way, well, that will be considered and very rightly considered as undue interference with the autonomy of the Province of Sind which will be resented by the people of Sind. Sir, let us by negotiation, by persuasion try to get the people of Sind reconciled to this state of things if it is going to be inevitable. There is no harm if you postpone consideration of this matter for a few days, say, till the next Session. Let there be no bitterness. Let there be harmony and amity for the good of the Province and Pakistan to which we have the honour to belong.

Mr. Chairman: Amendment moved :

"That the consideration of clauses (b) and (c) of the motion be postponed and the views of the Government of Sind be ascertained in the meantime."

The main motion and the amendment are now before the House for discussion.

Alhaji Muhammad Hashim Gazder: Sir, I rise to strongly oppose this Resolution. I am sure nobody in this House or outside it will accuse me of being a disruptionist or as being against the State of Pakistan. Everybody knows that there has been no one more loyal and strong supporter of Pakistan than myself. I hope there will be no misunderstanding on that point. I also want to disabuse the mind of some of my friends that I am personally interested in this question. My interest lies in the good of Pakistan, in the good of Sind and a third element has now arisen which is the good of the refugees. This question of the separation of Karachi from Sind is a most vital question for Sind. Sind without Karachi will be something like a dead body without a head.

An Honourable Member: If it is a dead body why bother then?

Alhaji Muhammad Hashim Gazder: A body without head if my friend wants to correct me. I want to place before the Honourable House that Pakistan was conceived on certain basic principles which were laid down for the establishment of Pakistan and that was on some important basis by a Parliament of Muslim nation. I would recall that portion of the Resolution passed at Lahore and would point out to the House that they should not take upon themselves the function which does not belong to them, but to the people, to the nation. Let me remind this House of that fact.

The Honourable Mr. Liaquat Ali Khan (East Bengal : Muslim) : Does not this House represent the nation ?

Alhaji Muhammad Hashim Gazder: We are very few people here. If I analyse the composition of this House it may not be very pleasant. Let us go to the electorate and place this question before them and ask them whether this method of the Central Government in depriving Sind of its capital of Karachi is right or not in view of the resolution that the nation had passed.

I am referring to the Lahore Resolution on which whole of our fight was based for achieving Pakistan. Sir, part (3) of the resolution reads :

"(3) Resolved that it is the considered view of this Session of the All-India Muslim League that no constitutional plan would be workable in this country or acceptable to the Muslims unless it is designed on the following basic principle, *viz.*, that geographically contiguous units are demarcated into regions which should be so constituted, with such territorial readjustments as may be necessary, that the areas in which the Muslims are numerically in a majority as in the North-Western and Eastern zones of India should be grouped to constitute 'Independent States' in which the constituent units shall be autonomous and sovereign."

Now, Sir, the draft of this resolution was approved by our High Command and some of the members of that High Command are Members of this House. Quaid-i-Azam was the President and Chairman of the Committee. You have heard that Provinces will remain sovereign and autonomous. I am asking in view of that decision whether it is fair for you to take away Karachi from Sind—it is a very important question and I question, Sir, the authority of this House to go back over this resolution because this was the conception of Pakistan which was given to us and to every unit of it. If we had known that after we achieved Pakistan, constituent units will be stumped by votes of other Provinces and amalgamated with others and deprived of their rights, we would not have been a party to it. Now, I question. Go back to the electorates and ask them whether they are prepared to deprive Sind. First ask Sind, whether they are prepared to surrender Karachi.

Then, Sir, the Honourable Member from the Opposition raised a question that as the sovereignty lies with people, but no one has got a right to take away their property without their consent. Karachi belongs to Sind and it has belonged to Sind for hundreds of years and centuries. Nobody has got the right to deprive Karachi to Sind. Now, Sir, since my Honourable friend has a question, I am going to read out the resolution of the Sind Assembly. Sir, this is a resolution which the Sind Assembly unanimously passed on the 2nd February, 1948—

"This Assembly records its apprehension and alarm at the contemplated move of the Pakistan Government to remove the City of Karachi from the control of Sind administration and to place it under its own immediate jurisdiction as a Centrally Administered Area. This House, therefore, resolves that Karachi must not be handed over to the Central Administration at any cost and further to call upon the Leader of the House and his Cabinet colleagues to bring home to the Government of Pakistan that such a step could not only cripple Sind economically and politically, but would constitute a flagrant contravention of the Pakistan

[Alhajj Muhammad Hashim Gazder.]

Resolution passed by the All-India Muslim League at Lahore, in 1940, which emphasises the sovereignty and the territorial integrity of the autonomous units constituting Pakistan, not to speak of the violence which it would inflict upon the loyal and patriotic sentiments of the people of the Province towards their own independent State of Pakistan."

Sir, this is what the people of Sind had to say. This is the resolution of the Sind Assembly unanimously passed. I want to know, where is the moral right behind this move of the Honourable Khwaja Shahabuddin, that Sind should be deprived of Karachi. Then, Sir, I want to read with your permission a resolution passed by the Sind Provincial Muslim League and I would request the Honourable Members from Government Benches to digest this Resolution. The resolution says :

"This Council of the Sind Provincial Muslim League while placing on record its amazement and alarm at the persistent reports that Karachi City and its surrounding area are to be taken away from the Sind Province to form a separate area to be centrally administered by the Pakistan Government, deems its sacred duty as the accredited mouth-piece of Sind Muslims and also a well-wisher of Pakistan to place on record its emphatic protest against such a move, and in view of the following reasons and facts, earnestly urges upon Quaid-i-Azam Mohammad Ali Jinnah, both as the constitutional head of the State and as the chosen head of the Muslim League organisation to be pleased in the best interests of all concerned to disapprove such a move, for the following reasons:

'Firstly, Karachi has a natural and a corporate part of Sind since centuries and is now nerve-centre entity of economic, commercial, industrial, educational and cultural entity of the Province and any attempt to deprive the Province of its nerve-centre will completely strangle the life and the growth of the Province.

Secondly, such a move will not only be a flagrant violation of the express provisions of the Pakistan resolution passed by the All-India Muslim League at its Lahore Session in 1940, according to which the territorial integrity of every unit constituting Pakistan is guaranteed, but it will constitute a serious breach of faith with the people of the Province but for whose unequivocal and clear lead the ideal of Pakistan would have remained an empty dream

Thirdly, such a move is fraught with grave consequences inasmuch as, on the one hand, it will be an ill recompense for the spirit of Islamic brotherhood and generous hospitality shown by Sind people in welcoming Pakistan Government and doing everything possible in the cause of those lakhs of their Muslim brethren who have migrated to Sind not only from various areas of the Indian Dominion but also from several areas of Pakistan itself.

Fourthly, such a move is likely to prove a grave menace to the growing spirit of unity amongst Pakistan Muslims, as the natural and legitimate urge of the people of the Province to safeguard their vital interests will be exploited by those anti-Pakistan forces which have lain low on account of the sincere and solid support that Sind Muslims have hitherto unreservedly given to the cause of the Muslim unity above everything else.'

This Council further calls upon all its accredited representatives and constituents, especially the Sind Members of the Pakistan Constituent Assembly, the Sind Ministers and members of the Sind Legislative Assembly, the district and primary branches of the Muslim League and indeed every well-wisher of Sind and of Pakistan to do everything in their power to resist this unjust, impolitic and unwise move."

Now, that was a conception of Pakistan. We got Pakistan on that guarantee that Provinces will be autonomous and today, Sir, without even consulting the Sind Legislative Assembly, without consulting the people of Sind, Sind is being guillotined. Its very soul is being cut. I, therefore Sir, submit to the Honourable Members of this House, if they do not want to make democracy a farce, if they do not want tracking towards absolute dictatorship, they should have respect for the feelings of the people of Sind. Sir, if you want to be despotic rulers and impose everything on people without ascertaining the wishes of the people and without caring whether they like it or not and say "this is my *hukam* and it must be obeyed", then God help us. People of Sind do not want to give up Karachi.

Sir, the people of Sind were first to welcome the Pakistan Government, nobody else was willing to take it, nobody was able to take it. Raja Sahib

is laughing. He could never have been able to invite the Government of Pakistan to Punjab; it was Jenkin's rule there when this decision was taken. We have welcomed you, we have given you pallatial buildings that we made, we spend crores of rupees on building accommodation for the Government. I want to know whether the Raja Sahib could do it or anybody else could do it. I am telling you that nobody else could do it. It was Sind alone who did it. It was Jenkin's rule in the Punjab and in Frontier there was a Congress Ministry and in Bengal they were living in Calcutta and Ministry's position was not very strong. It was Sind alone which could afford and extend its welcome to this child who had not legs to stand on, no chair to sit and no papers to write. Here we gave them everything and now if Karachi is taken away it will be the height of ingratitude on your part. We gave you our buildings and we drove out our offices, we drove out our Ministers and we drove out our citizens, some of whom had spent three or four lakhs each for their dwellings. We requisitioned those buildings. We ourselves went into barracks. Now, I say, this is the height of ingratitude. Today you say that you want Karachi out of Sind in spite of strong opposition. Sir, I ask in all humility what will be the importance of Sind after Karachi is taken over. Can anybody reply to it? I say if you want to be despotic rulers, if you want to use your power without consulting the people, if other Provinces now want to be a party to this robbing of Sind, we have no objection; what can we do? Constitutionally, we will have to obey you. You have heard Maulana Shabbir Ahmad Omani. He said that there are 35 lakhs of Sindhis living here and ten lakhs more have come. These have to live as brothers with us and he has told us that he has been all over Sind and he has been in Karachi and he told us that the question of separating Karachi from Sind has raised so much ill-feeling amongst Sindhis that it will not be possible for refugees to remain in Sind, if Karachi is taken away by force. Sir, I know the Government have got power to re-write the whole Government of India Act, they have got power to redistribute the Provinces. They can do anything they like. I ask the Government why then should they come and make us a party to this very unhappy scheme of depriving Sind. They can do it themselves and I submit to this Honourable House to request the mover of the Resolution to withdraw it. We are not against it that Karachi may remain the Capital of Pakistan. All we want is that when you have come here, stay here but do not separate Karachi from Sind. You stay here by all means, build your own Capital. A committee that was appointed by the Government to study the sites have submitted a report. They have shown in that report that there are many good sites where all the government buildings, Embassies and other office and residential accommodation can be built, Sir. Why make this haste in spite of these two resolutions of the Assembly and the Provincial Council. We were never told that the Government wants to do this. All of a sudden this thing is thrown on us as a bomb and, Sir, if you really want it, then convince the people of Sind that it is in their interests, it is in the interest of Pakistan to have the Capital of Pakistan here and suggest to them to give the jurisdiction and control over the city of Karachi but why in the teeth of opposition get this Resolution passed. You have got every power. You can separate Karachi from Sind, you can amalgamate Karachi with Punjab or you can do any damned thing you like, but do this without making us a party to this dirty thing.

Sir, I want just to remind that Sind has never been against Pakistan but it has really been the greatest pillars of Pakistan. It was Sind Assembly

[Alhajj Muhammad Hashim Gazder.]

in 1944 that passed the Pakistan Resolution here demanding from British Government Pakistan and I challenge Raja Sahib or anybody else if they could carry that resolution in the Bengal Assembly or in the Punjab Assembly or in the Frontier Assembly. If you can take away your Capital from here to Dacca or anywhere else, we will give you the necessary money required for the transport. We will bear all that expenses if you go and take away your Capital to Dacca. Who told you that we want it here?

An Honourable Member : Mr. Khuhro.

Alhajj Muhammed Hashim Gazder : Mr. Khuhro never said this. Mr. Khuhro invited you here when there was nobody to take you. Then, Sir, I am going to tell you that this Resolution is going to create a lot of discontentment among the minds of the citizens of Sind and there is already discontentment over this centralisation of everything, over this dictatorship all over the Provinces, especially in Western Pakistan, and if this Resolution is carried, it is not to the credit and interest of Pakistan.

Then, Sir, I do not know who advised them to have Karachi as their Capital. We are told that experts have advised them. Sir, there are many wide grounds where this Capital should be located. I do not know whether one or two facts that I am going to suggest have been in their mind. Karachi is in the extreme west of Pakistan—Western Pakistan separated from Eastern Pakistan by thousands of miles. Again at the River Indus we have got two bridges which could be easily blown and then Karachi will be isolated. We are only about 40 miles from bombing limits of the Indian Dominion. It is not very sound to have your Capital here. Then, Sir, there is another point which I want to tell you and which might have been forgotten or overlooked when they decided that Karachi should be made their Capital. Karachi is in the middle of desert. In a radius of 100 miles you have no drinking water. We are bringing water from Indus through pipes and if the pipes are blown by dropping one bomb or pumping plant destroyed, where will this big city be without any drinking water. There is no drinking water round about it. For this reason also we should never have our Central Government's Capital here.

Then, Sir, my Honourable friend the mover of the resolution has not given any valid reason for depriving the City of Karachi of the development schemes which the Sind Government had in view. I want to know

6 p.m. whether the Pakistan Government have started any development during the last eight months. It is the Sind Government that laid out 6,000 acres of land for industrial development. We have appointed a Board. We have passed an Act. We have given a crore of rupees to that Board to develop the industries. He said, Sir, that it would be very difficult for the Sind Government to manage a big City like Karachi. Sir, we have managed so far. The Government of Bombay have been managing Bombay and the Government of Bengal have been managing Calcutta. He says we should have big planning and big resources. Sir, we have appointed the biggest experts in the world to give us the schemes and the schemes are under preparation. It is one of those experts who advised the Separation Committee that was appointed that Pakistan should build their own buildings on these two areas in Karachi, where they can build their Government buildings and quarters for their officers and staff; without purchasing the enmity of Sindhis they can do that.

Then, Sir, the Honourable Mr. Shahabuddin was very gratuitous when he said : " Oh, Sind Government can remain here and we shall not interfere with them ". Sir, I want to ask him whether he wants the Sind Government to stay here as a Refugee Government, just as the Burma Government was staying in Simla during the war ! Then, Sir, if I possessed an institution what right has he to interfere ? It is not gratuitous ; it is an insult, and I should like to know what right you have to interfere in our private institutions.

Then, Sir, the Pakistan Government comes here and quietly occupies all our buildings worth 50 crores of rupees. There is not a word said whether even if they allow our Government to remain they will spend Rs. 50 crores and build buildings for Sind Government or whether they will give us that money so that we could immediately start if we choose to remain here. They do not say whether they will give us any compensation for all that they have taken from us. Sir, I have yet to be convinced fully whether the financial position of Pakistan is such that we should burden it or whether any Province should ask the Pakistan Government to part with its money.

Then, Sir, we have been told that a Conference at ministerial level has been held. Sir, the Ministers derive power from the Assembly and the Assembly derives its power from the people. If the present set of Ministers have agreed they have dug their own graves. I demand from this Honourable House that the Sind Assembly should be immediately called and consulted and told what is proposed to be done. It is for them to decide. There is no hurry. If we have waited for eight months we could wait a bit longer. Let us come to some working arrangement with the people of Sind. There is no hurry about it, unless you want to create too much discontent, too much disaffection and want to make Pakistan weak, because the people have got right to protest and that protest might take any shape, then why not take the people with you.

Sir, one of our Members said today that when we have to perform some very necessary and drastic operation, let us inject some soothing medicine into the body, so that the pain of the operation may not be felt. Now, this is being done against feelings of Sind and I therefore request that nothing will be lost by postponing this thing. If the Embassies of foreign Governments and industrialists want our decision that Capital will be Karachi so that they can start on their own building operations, or their factories, or any other enterprise, let us pass the first part of the Resolution that Karachi shall be the Capital of Pakistan. Parts (b) and (c) should not be passed. This is in the interests of Pakistan ; this is in the interests of Sindhis and this is in the interests of the refugees, and I am telling you, Sir, with all the humility that I can command, that I am advising this as a soldier of Pakistan, in the interests of Pakistan, and I hope that the House will listen to me.

Mr. Chairman : The House stands adjourned for fifteen minutes for *Asar Prayers*.

The Constituent Assembly then adjourned for *Asar Prayers* till Twenty-Five Minutes Past Six of the Clock.

The Constituent Assembly re-assembled after *Asar* Prayers, at Twenty-Five Minutes Past Six of the Clock, Mr. Chairman (Mr. Tamizuddin Khan) in the Chair.

**RESOLUTION re : LOCATION OF THE CAPITAL OF PAKISTAN
AT KARACHI—*contd.***

Malik Mohammad Firoz Khan Noon (West Punjab : Muslim) : Sir, it was rather unfortunate that we should have met in the heat of the afternoon to discuss a question which for the purposes of debate has become very controversial.

Mr. Chairman : I hope your speech will have a soothing effect.

Malik Mohammad Firoz Khan Noon : The manner in which I have started should be a guarantee and an assurance to you that my intention is to pour oil over troubled waters. If the Haji Sahib, my friend, Mr. Gazder, had been here I hope he would have listened to my words with patience and sympathy.....

Some Honourable Members : He has come.

Malik Mohammad Firoz Khan Noon :and I have no doubt that he has had a cool drink during the interval and he will be in a mood to take my words in the spirit in which they are meant. Sir, there is no harm in giving vent to one's feelings on matters like this because feelings must be got rid of otherwise they are liable to have very deleterious effect on human nature and, if for no other reason than for this reason alone, I welcome the idea that all Members should have the full freedom to say what they like.

First of all I can say in one word that so far as the amendment of Prof. Raj Kumar Chakraverty is concerned the fullest consultation has been held with the Sind Government over this matter so that he may rest assured that every step has been taken to consult almost everybody concerned and let us take it for granted that after these consultations we have arrived at a point where in certain respects the Sind people or the Government may not see eye to eye with us and therefore this pleasant or unpleasant duty rests on the shoulders of this House to come to a decision one way or the other. It is no use trying to postpone certain parts of certain administrative actions simply because they are controversial or because they are very difficult. So I hope that after this assurance Prof. Raj Kumar Chakraverty will not object to this House coming to an immediate decision in this matter.

So far as the actual Resolution is concerned after all the lengthy speech that my friend, Haji Gazder, made he was pleased to remark that he had no objection to Karachi being made the Capital of Pakistan. Well, I heaved a sigh of relief because that was certainly the main point of the Resolution which had been placed before this House and that, Sir, certainly is the right decision to which Haji Gazder has come, that the federal capital should be here because after all he has admitted that "we—the Sindhis and the Sind Government—invited the Pakistan Government to come here". So, therefore, I should like to take this opportunity of thanking him as a Sindhi and his Government for a very kind invitation which they extended to the Pakistan Government at a difficult time to come to Sind. That assistance is very much appreciated by Musalmans and all residents of Pakistan that the Sind Government made that gesture. I am very happy to think, Sir, that Haji Gazder still does not go back on that invitation. He wants us to stay here as Pakistan Government. So, therefore, so far as the first part of the Resolution is concerned, there is absolutely no controversy. The Haji Sahib has given many rambling arguments one way or the other that the Capital should not be here and I was all the time thinking that I shall have to produce some argument

that the Capital should be here but he made my task easy by saying that the Capital of Pakistan should be in Karachi because that, even in his opinion, is naturally more suitably placed than any other town for becoming the Capital of our country. Then, Sir, we also remember that originally when we came here as Pakistan Government we came here at the invitation of the Prime Minister of Sind and the Governor of Sind ; both of these gentlemen extended an invitation to the Pakistan Government to come to Karachi—an invitation which has been further supplemented by the statement of Mr. Gazder here. There is only one point in Mr. Gazder's arguments which he mentioned and which I feel should be answered and that was his reference to the Resolution of the Muslim League in Lahore in which it was resolved that the Provinces should be autonomous and sovereign body. The Haji Sahib must remember that at the time that Resolution was passed we were thinking of two things. We were thinking of Pakistan as a separate State and at the same time we also had a fear in our minds that if Pakistan, as a separate State, was not granted then we, as Musalmans, were going to demand autonomy and sovereignty for the Provinces as a possible alternative. So, therefore, if these words are present in that Resolution they are only with a view to safeguard Muslim interests in a big Indian Federation and to have residuary powers and full autonomy vested in the Provinces so that Musalmans where they were in a majority might have had an opportunity to develop their culture and develop on their own lines. But with the coming in of Pakistan as separate State there is no question of any of the component parts or Provinces of Pakistan being sovereign. The sovereignty already vests in the Pakistan Government and none of the Provinces can ever hope to exercise this sovereign power. So, therefore, the Haji Sahib must realize that that Resolution is already out of date. This Assembly is the sovereign Assembly and can pass what it likes. What this Assembly passes will be the law of the land and not what is passed by means of resolutions in any of the political meetings that we may hold or may have held in various and different circumstances in the past and, Sir, even if we had passed this resolution in those days, are we bound by it? No. Every successive political body is free to frame new resolutions different from those passed a few years ago. Let me remind the Haji Sahib of a very wise saying about political matters : Consistency in politics is the habit of an animal with very long ears : and I might say that we would be in great trouble and difficulties if we were going to be guided by what we passed say five years ago. Therefore we must take stock of things from day to day. Your Pakistan Constituent Assembly is a sovereign body. Pakistan is a sovereign State. And that sovereignty cannot be shared by any of the component parts of our country, namely, the Provinces.

Now, Sir, I should like to come to a very controversial point and that is this that as the Haji Sahib says.....

Mr. Dharendra Nath Datta : You have already gone into controversial points.

Malik Mohammad Firoz Khan Noon : I do not want unnecessarily to go into points which are not relevant to the issue. The issue is this that according to even the opponents of this Resolution the Capital of Pakistan should be in Karachi but these opponents say that so far as the administration of the Federal Capital is concerned that should remain with the Provincial Government.

[Malik Mohammad Firoz Khan Noon.]

This is the point which is really the point at issue and on which this Constituent Assembly has to come to a conclusion.

Now, Sir, with regard to the two parts of the resolution to which objection has been taken, part (c) is very easy to dispose of first and I should like to draw the attention of the House to this part, which says :

"(c) that notwithstanding anything in any law for the time being in force, the Government of Pakistan shall proceed forthwith to take such steps and adopt such measures as may be necessary to give effect to the purposes of this motion."

Therefore, I hope that so far as this part (c) is concerned, even Haji Gazder will not object to it, because having once declared Karachi as the Capital of your country, you cannot sit back and do nothing. You must take some steps in order to carry out any decision of this House and implement that decision by taking certain actions in order to facilitate the running of your Government. Therefore, so far as part (c) is concerned, I hope that there will be no controversy on that point.

Now, I come to part (b), to which objection had been taken, which is really the crux of the whole debate and I hope that we can confine our remarks to part (b) alone, *i.e.*, whether the administration of our Capital should vest in the Central Pakistan Government or in the Province. Sir, with due respect to the feelings of the Honourable Member who has championed the cause of the Province, I feel that it will be almost impossible to have the Pakistan Government living in Karachi and making Karachi as their Capital and having the administration in the hands of the Provincial Government. Sir, here in Karachi you know that the Port Trust is already a Central subject, Railways are a Central subject, cantonments are a Central subject. So therefore, a great deal of what exists of the city of Karachi is already in the hands of the Central Government. Shipping is a Central subject, Custom is a Central subject, Income-tax is a Central subject, Airports, which are very important are a Central subject. After all, when you eliminate everything which is already Central and to which my friend will not object, all that is left is the streets and shops and a few residential houses of Karachi or Karachi which may be developed. So far 'Karachi which may be developed' is concerned, the Provincial Government will never have the funds to develop Karachi. They will have to go to the Federal Government for funds and then it remains to be seen whether the few shops and the few residential houses left are to go for administrative purposes to the Provincial Government and the rest of the administration to the Central Government. I leave it to my friend to judge for himself as to which form is a more convenient administration. Sir, I would like to point out to him that in the United States of America, so far as the administration of Central subjects is concerned, the administration is entirely in the hands of the Federal Government. What I mean to say is this that if there are any offences created by federal legislation, for the trial of those offences it is the Federal Magistrates and Federal Courts and Federal Lawyers who take part in those trials and not the Provincial Courts. So, therefore, in your Government when so many subjects are going to be your central subjects, for which there will be Central Legislation and for which there must be Central Magistrates and Central lawyers, I say, then, where is the necessity of having a duplicate administration inside Karachi. I would like to point out to him that here in this Capital will be all the foreign Ambassadors. Now protecting the life and honour of these foreign diplomats is the duty of the Federal Government. If the Police of this Federal town

or Federal Capital is not under the orders of the Federal Government, then how is the Federal Government to ensure that some very serious incidents between this country and foreign countries may not arise and there may be a demonstration, say, outside the American Embassy tomorrow about Palestine ; there may be a demonstration outside any other foreign Embassy on one point or another, then is the Federal Government to sit back and go on telephoning to the Police and to the Minister who may be touring up in Sind or in Sukkur to take action in order to protect the honour of that Embassy. Now, Sir, action is to be taken immediately and it is the Federal Government alone that would be able to take those steps, if the Magistracy is under the Federal Government. Therefore, Sir, having conceded once that the Capital of our country shall be in Karachi, the other consequences cannot be avoided. The administration must vest in the Federal Government, so far as this town is concerned. Sir, you take the case of the health of Karachi. Will the Sind Government have the funds or the resources to protect the health of Karachi town. I ask Mr. Gazder to come with me where I am living in the Beach Hotel. He will find dozens of dirty and mangy dogs and his municipality and Administration have not got the sense to remove those carriers of disease. What is the condition of cleanliness ? Has the Sind Government the funds to see that this town is as clean as the best town in the world ? Sir, with due respect I should like to request Haji Sahib to face facts as they are and not to be carried away with parochial patriotism. If this were a Jewish town and we as Arabs were coming to take its possession, then the force of the debate of Haji Sahib would have been understandable, but I say that Sindhis are as much Pakistanis as any other Pakistani and if there is to be a Government of Pakistanis in Karachi, it is going to be just as much the Government of Sindhis as the Government of any other part of Pakistan. So, therefore, let us not go too much into provincialism, because this provincialism is a curse and if the Sind Province or its people take this provincialism to this extreme that they would stand in the way of progress of Pakistan as a whole, then I assure my Honourable Member that they will have to come face to face with the whole of Pakistan who will come hammer and tongs and destroy this petty-minded provincialism in order that Pakistan and its people may live. Therefore, I warn the Haji Sahib that he is doing no service to his own people when he is trying against the Capital of Pakistan being established here.

Sir, I have already taken a great deal of your time and I do not wish to say any more, except this that I take exception, as the last word, to the use of the word 'dictatorship', which my friend, the Haji Sahib, is accustomed to use. There is no dictatorship here and the speeches that he makes are proof of the fact that there is no dictatorship here. If there had been dictatorship, these speeches would not have been allowed for one day, and I tell him that we are at a stage of our progress where our enemies are ready to destroy the State of ours. You come to Kashmir and you will see what your neighbouring State is doing. Unless you remain united and until this provincialism remains, your own existence will be in danger. Sir, this provincialism really is going to lead to dictatorship, because of the unreasonableness of certain Members and their petty-mindedness and I tell you that today dictatorship is not a bad thing for Pakistan. Every time I would prefer benevolent dictatorship to inefficient and corrupt democracy which has existed in the Province (*Loud cheers*). Why is it that the Province of Sind is objecting to the administration of Karachi by the Central Pakistan Government ? Are they afraid that.....

Alhajj Muhammad Hashim Gazder : Mr. Chairman, Sir, the Honourable Member has used the word "dirty Province".

Malik Mohammad Firoz Khan Noon : I am sorry that my Honourable friend's ears are not working quite satisfactorily. I assure him that my attitude from the very beginning has been and will continue to be that of a parliamentarian, because I want to win him over by persuasion, even though his ideas are so hard and fast that he is not likely to change them.

But at least we must justify our action as Members of the Constituent Assembly before the public and before this House as to whether what we are doing is based on democratic principle. I was only saying that the interests of the State require at this moment that we must take united and quick action, because your State is in danger today and I say that benevolent dictatorship today is more useful than a corrupt and inefficient democracy.

Mr. Abul Kasem Khan (East Bengal : Muslim) : Sir, I should like to make the position very clear that I stand to support the motion before the House. I quite sympathise with the feelings of my friend, Alhajj Hashim Gazder, but I am afraid his fears are misplaced. I am afraid the point of view that he is taking today is not really a good one even for the Sindhis themselves. As I was telling my friend, if the Government of Pakistan had been so good, had been so kind as to select any place in East Bengal, any district headquarter town, we would only be too pleased and too glad to offer that site for the establishment of the seat of the Government of Pakistan. We would have considered it a great honour and a great privilege to house the Government of Pakistan there in East Bengal. Sir, I know there is a strong feeling even today in East Bengal that the seat of Pakistan Government should be in East Bengal, where the majority of the people of Pakistan live, but, Sir, I am a realist. I know the practical difficulties of having the seat of the Government of Pakistan in East Bengal. There are various considerations which make it impracticable that the seat of Pakistan Government should be in East Bengal. But then, Sir, I am making a humble suggestion later on to assuage the feelings of the people of East Bengal in this respect. I shall first try to meet the arguments of my Honourable friend Alhajj Hashim Gazder. He says you are going to take away the head from Sind by taking Karachi from Sind. Sir, Sind is going to wear a double crown by having the crown of Pakistan Government and the Crown of Sind Government on her head. In ten years' time the Sindhis will realise what a great blessing it has been to have the seat of the Provincial Government and the seat of the Pakistan Government here, and what a blessing has been the decision of the Pakistan Government to have selected their seat in Karachi and nowhere else. Sir, my friends from Punjab must also have desired greatly that the Government of Pakistan should have been located in Lahore, but due to the fact of the partition of Punjab, Lahore is too near to the Dominion of India and it would have been unwise strategically to have the seat of Pakistan Government located in Lahore. I am sure the Sindhis will realise the immense benefits of having the seat of the Pakistan Government in Karachi, both in trade and commerce and in Government employments. I am taking one example which the Honourable mover of the motion has referred to. So long as the seat of the Government of India was in Calcutta, the people of Bengal had a big share in all Central Services. They had a big say in all Central affairs, and it was indeed an unhappy day for Bengal when the seat of the Government was transferred to Delhi. Naturally then the Punjabis acquired a great say and had a more effective

voice in the Central administration and Central Services than other Provinces of India who made a grouse of it. In course of time, say, in 10 or 15 years, the people of Sind will play a very important role in the Central Services and affairs, and also in the great problems of the whole of Western Pakistan. So my friend's fears are misconceived that Sind will lose economically. My Honourable friend the mover of the motion has already assured that the Province of Sind will not lose financially on account of the site of Central Government being located in Karachi. I am sure Pakistan Central Government will make suitable accommodation and will provide funds for having the seat of the Government of Sind transferred elsewhere if necessary, if the Government of Sind want it to be transferred out of Karachi and if they eventually decide to do so. At present there is no such intention to oust them from Karachi so far as I am able to see. If the Government of Sind eventually decide that they should go out because of their feeling that they should stay in their own Capital, I am sure the Government of Pakistan will compensate them for all the losses and for the premises which the Central Government might acquire from the Government of Sind. As Karachi will rise, so also another town, say in Hyderabad, will rise up. Karachi will be one of the finest and biggest cities in the East. In the course of 10 or 15 years Karachi will be the premier city of the whole east of Suez and there is no doubt that it is going to be so. Another advantage of having the Capital at Karachi is that the Government need not move to any hill-station. The climate is so good and so cool throughout the year that people can work here comfortably. It is not so hot in summer. That is another argument in favour of having the seat of Government at Karachi. I am not here trying to point out the various advantages and disadvantages of having Karachi as the seat of Government. As my Honourable friend, Mr. Fircz Khan Noon has said there is no alternative, except Karachi as the Capital of Pakistan, but I do not want to join issue on this question. I think if the Sindhis will think a little cool-headedly, laying aside any partisan view, and think from the point of view of the good of the whole of Pakistan, and even for their own good taking a long-range view of things, they will realise that the decision that is taken this evening in the Constituent Assembly of Pakistan will be of great benefit to them for ages to come and that they would be immensely benefited by this step.

Now, Sir, I want to make one humble suggestion on behalf of my Province. I have said that it is impractical to have the seat of Government of Pakistan anywhere in East Bengal just now. On account of the division of India and on account of the fact that nearly 2,000 miles of land and sea separate the two parts of Pakistan, a great sense of isolation has been weighing in the minds of the people of East Bengal who are cut off from the rest of Pakistan. It is commonly said that "to see is to believe". The visit of Quaid-i-Azam roused such great enthusiasm in the minds of the people that our hearts went to the Quaid-i-Azam, and people were very glad that they had at last a chance of seeing him and realise that East Bengal is not forgotten.

To do away with that sense of isolation I would suggest that, not in the next year or the year after next, but in course of time, when funds and accommodation are available and when it is practicable, to have the seat of Pakistan Government shifted to East Bengal, either to Dacca or Chittagong or some other place, for three or four months in the year. This is not a new experiment. This is not a new suggestion. This has been going on in all the Provinces of India when we were under the British Rule, when they said "we must move to Simla, we must move to Mussoorie or to Darjeeling, to

[Mr. Abul Kasem Khan.]

keep the heads of the Government cool. Now it is not from that point of view of luxury that I am arguing for having the seat of the Government of Pakistan shifted temporarily for three or four months in the year to East Bengal. This step will create a great enthusiasm and support for the Central Government in East Bengal, because we, people of East Bengal, are as much earnest in our desire that our Pakistan should be a strong State, and that Pakistan should be well-administered, as anybody else in the other parts of Pakistan. So, Sir, I humbly put this suggestion to the Honourable the Prime Minister and for the consideration of the House that when funds are available the Government of Pakistan will kindly consider transferring their seat temporarily for three or four months in the year to any town of East Bengal, may be Chittagong, may be Dacca or any other place selected by them.

Khan Sardar Bahadur Khan (N.W.F.P. : Muslim) : Mr. Chairman, Sir, I am on my feet to support the proposition before the House moved by the Honourable Khwaja Shahabuddin. Before I express my opinion in the matter, I earnestly appeal to the Honourable Members of the House to take dispassionate and realistic view of the whole matter. I would particularly appeal to Honourable Members hailing from Sind not to be carried away by sentiments while expressing their views in the matter. Sir, in order that I should be able to make out a case for the motion tabled by the Honourable Khwaja Shahabuddin, I have got few observations to offer. Number one is that there can be no two opinions on this point that the Dominion of Pakistan must have a Capital and the Capital is to be located somewhere, at some suitable place and that suitable place has got to be in one of the Provinces constituting the Dominion of Pakistan. The second point is that there should be no two opinions on the point that the city in which the Capital of Pakistan is located and its adjoining territories, must be centrally administered. Let me tell my friend, Mr. Muhammad Hashim Gazder, that his argument that the Pakistan Government can keep its Capital in Karachi without taking it over, does not hold water because, he has been a Minister in this Province and as such has wide experience in the field of administration and I can tell him that if we accept his suggestion it would amount to creating an *imperium within an imperio* which will lead to administrative confusion and overlapping of authority, etc., and will make the confusion worse confounded. The third point is where the Capital should be located. Sir, in the matter of choice of a place for the Capital of a State the people who are entrusted with the task must take certain points into consideration. Some of these points are, Sir, first, it should be strategically a safe place, not vulnerable to attack from sea, land or air, should be connected with the interior of the country by rail, road

and air. It should have plenty of water and there should be 7 P.M. plenty of room for accommodation and expansion. Sir, I need not take the valuable time of this Honourable House in dilating on this subject in more detail because these points have been elucidated by my Honourable friend, Khwaja Shahabuddin, at full length in making his motion. I agree with those who hold the view that according to this standard test, Karachi is not and cannot be said to be an ideal place for the location of the Capital, but I would venture to suggest to them that they will have to take into consideration its comparative advantages. There are certain disadvantages. But there are many points in favour of it and the points in favour of the location of Capital in Karachi outweigh the points that are against it. Karachi

is not an ideal place, but most certainly is the best under the existing circumstances.

Then, Sir, I would request the House and those who are opposed to the Resolution to compare Karachi with the rest of the towns which can be the possible sites of location of the Capital. I believe that their verdict will be in favour of Karachi.

Lastly, Sir, Mr. Muhammad Hashim Gazder's main objection seems to be that if Karachi is taken away, it will adversely affect the interests of Sindhis. Sir, I am surprised by the argument advanced by him and I must say that not a single man in this House, has been convinced by Mr. Muhammad Hashim Gazder when he advanced his argument that the interests of Sindhis and Sind will be adversely affected if the Capital of Pakistan is located in Karachi and it is centrally administered. On the contrary, the location of the Capital in Karachi would result in immense benefit to Sind and Sindhis and, for the matter of that, Sindhis owe a debt of gratitude to the House for having done them such a good. Well, Sir, I wish I could persuade the House to decide to build the Capital in my part of the world. The mandate of my people on that point is that I should make the House to agree to raise the Capital in Hazara District, and they would willingly do all they can to help Pakistan Government in the matter. I can suggest Taxila and its surrounding *ilqa* to be the ideal place for the purpose.

Before I resume my seat, I would like to tell my friend, through you, Sir, that if God forbid, his appeal does succeed and if this Resolution is thrown out, then, believe me, that the coming generations of Sindhis will remember you as one who has done greatest damage possible to their cause. I have nothing more to say except that I strongly support the motion and commend it to the House.

Mr. M. A. Khuhro : Sir, I consider that the decision by the Government of Pakistan by asking the Honourable Minister for Interior, Khwaja Shahabuddin, to move this Resolution, is rather hasty decision and I should say ill-conceived decision. We got only two days' notice that this Resolution is coming before the Constituent Assembly on Saturday. The matter of such a vital importance should have been given adequate time, and adequate thought and consideration before a Resolution of such a far-reaching consequence was allowed to be tabled and, further more, to be rushed through in this manner through this Honourable House. After all, Sir, the Government of Pakistan and the Pakistan State were formed only about nine months ago. And, at the time when the State was about to be formed, Sind Government showed their willingness to Pakistan Government having their headquarters temporarily located in Karachi because at that time there was no other place where the Pakistan Government should have taken their Capital, considering the circumstances as then existed. Some Honourable Members have said that their Capital should have been at Lahore or Pindi but may I ask them that at that time, the question of dividing Punjab and dividing Bengal was under consideration. It was not even known whether Lahore will be in the East Punjab or the West Punjab and the Tribunal was set up to draw up a line of demarcation between the East and the West Punjab and also a final line of demarcation between East and West Bengal.

[Mr. M. A. Khuhro.]

These two Provinces, therefore, Sir, at that time were out of question and out of bounds so far as the location of the Capital of Pakistan Government was concerned and my friend, representing Karachi, has rightly said that N.W.F.P. at that time was being governed by the Congress Government and the question that Pakistan Government should go there was absolutely out of question. Sind Government showed the best example of hospitality by evacuating all their office and residential buildings and putting them at the disposal of the Pakistan Government. Sind Government got so many blocks and hutments constructed in a remarkable hurry to house offices and families of the Pakistan personnel. May I ask in all seriousness where is the urgency of this decision? Only nine months have passed when Pakistan was established. The Honourable Members are aware and the Honourable Khwaja Shahabuddin is himself aware more than any one that in Calcutta there was a dual Capital of the Provincial Government of Bengal and also the Government of India for more than 50 years. Was it decided in a few months that the Capital of mighty India Government was to be shifted from Calcutta elsewhere? No, Sir. It took them more than 50 years to decide this all important question and during all that period the administration of Calcutta remained in the hands of the Provincial Government. It is being argued that the Provincial Government in those days did not possess those administrative powers which, now under the Government of India Act of 1935, Provinces possess and exercise. But, Sir, it should not be forgotten that gradually more and more powers were being given by the British Government to the Provinces. There was a Lieutenant-Governor who presided over the provincial administration of Bengal. He ran independent administration although he was directly under the directions and control of the Governor-General. But these Governors even now are under the direction and control of the Governor-General in all material respects. There is very little difference in the detailed administration between now and then. Apart from that the Lieutenant-Governor was given sufficient scope for running the administration of the Province and subsequently came the Minto-Morley reforms in 1906 and certain more powers were given to the Provincial Governments. And Sir, the latest instance of Simla is there. The Government of India had their residence in Simla every year for six to seven months for climatic reasons and yet the administration of Simla remained in the hands of the Government of Punjab, and the Government of India never thought of taking away the administration of Simla from the hands of the Government of Punjab. For more than six months every year they had to stay there for reasons of climate. It is not necessary that the Government of Pakistan must choose some big city for their Capital. If that were really an ideal thing to do, the American Federal Government would be in New York and not in Washington and instances like that could easily be multiplied. With due respect for the opinion of the Honourable the Prime Minister.... - - -

The Honourable Mr. Liaquat Ali Khan: I have not spoken so far.

Mr. M. A. Khuhro: I anticipate it, and the mover of the Resolution, even though, an expert opinion might have been taken and I do not claim to be an expert on that issue, but from my experience I can definitely say that, Sir, considering the geographical position of Karachi City, it is not at all an ideal place for being the permanent capital of the Government of Pakistan. Some of the Honourable Members have already said so. And I say it most

emphatically that Karachi is really an island. You have got sea on two sides of it and you have got River Indus on the other two sides. If you go to any other part of the country you have got to cross the River Indus one way through Kotri Bridge and the other way the Sukkur Bridge and if by any chance these bridges are demolished, you will find yourself in an island surrounded on all sides by water. It is being argued that at the moment there is no great danger to Karachi of foreign attack from sea side, but Sir, we have got to take a long range view of these things. I quite agree that there is no difficulty or danger if the two Governments have their Capital in Karachi and the Pakistan Government, as things stand at present and things are fairly satisfactory, can continue to remain under the existing conditions as guests here for, say 10 or 15 years and there may be no serious danger of foreign attack, say, within next 5 or 10 years. And during this period of temporary stay here there is no occasion and there is no real need to reverse the position of a guest into a host and driving out the original host from the place or making him a guest dependent on their sweet will or mercy. I ask, Sir, how is it possible for the Provincial Government to function from Karachi after Karachi is completely Centrally administered and becomes a Chief Commissioner's Province like Delhi. How is it possible for the Provincial Government to govern its population many miles away from their territory by sitting in Karachi—a place which does not belong to them and they can have no extra territorial jurisdiction on Karachi. Karachi becomes as much a foreign land to Sind as Punjab would be to them and, therefore, it is not possible for them that they can live here as guests and govern from here. In actual practice it would be almost impossible for them to do so. Sir, reference has been made to this issue by the mover of the Resolution. It was more than three months ago that Government of Pakistan desired this question to be settled and a Committee of the four Ministers of the Central Cabinet set up for this purpose wanted to discuss this issue with my Government—as then I was the Premier of the Province we had discussion and a committee was appointed of six officials on both sides. The Committee has made a report and the Honourable mover says that that start report was a divided report because six officials of Sind Government were definitely of one opinion and six officials of Pakistan Government of definitely the opposite view. This is not the point, Sir, but the Committee have given their report. They have given ample reasons, facts and figures which require to be properly analysed. Is it fair, Sir, may I ask that without placing that report in the hands of the Members or taking this Honourable House into confidence which is a sovereign body—this Constituent Assembly is really a sovereign body—should be deprived of those facts and figures that are in possession of the Government today, and asking them to take this decision? I was really very much surprised when the Honourable the mover of this Resolution got up here and said that we have had discussions with the Government of Sind but we want to keep it a guarded secret and we do not want to take this House into confidence about the nature of the discussions that took place between the Government of Sind and Government of Pakistan and he referred to his experience. I really do not know what that experience is and what compels him to keep those discussions a secret. The Honourable Member from Karachi has rightly pointed out that it was the Legislature of Sind which passed only two months ago a unanimous resolution to the effect that Karachi must remain a part of Sind, because Karachi was the life and soul of Sind and without Karachi Sind will be nowhere, it will be definitely

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and permanently a deficit Province. It is well-considered opinion of the Members of the Muslim League party of the Sind Assembly and the Opposition Members too all joined and a unanimous resolution was passed to that effect and also a resolution was passed unanimously by the Provincial Council of the Muslim League on that issue. So, Sir, all people of Sind are unanimous on this point and there was a clear mandate given to the Ministry—whatever the Ministry be, whether it was my Ministry or it may be of anybody else's Ministry—the mandate is of the Legislature and equally binding on any and every Ministry. Therefore, Sir, not only the people of Sind are entitled to know about the reactions of the Sind Government on this question, not only the people of Sind are entitled to know but the Members of this Honourable Constituent Assembly are entitled to know the reactions. I, therefore, earnestly appeal to the mover of this Resolution and the Honourable the Prime Minister that they must disclose the nature of the discussions that have taken place because, Sir, Sind is very vitally concerned in this matter.

I do not give out any secret when I say that Karachi is definitely a surplus city from the revenue point of view and anything nearing a crore of rupees is the net surplus annually—or is going to be the net surplus annually—from the City of Karachi for the Provincial Government. By losing Karachi within the course of a few years we shall be losing at least a crore of rupees as annually recurring income for the Province. May I ask as a representative of Sind in this House : Have you definitely given an undertaking to the Government of Sind that you are going to pay them a crore of rupees annually ? By turning out the Government of Sind have you given them a definite undertaking that you are going to pay full value of the assets that you are going to use, the buildings that you have got and you are going to take over ; they are the property of the Provincial Government ? Has the value been fixed of these assets ? Have you definitely committed yourselves to giving full compensation for these assets to the Provincial Government ? If you have not given any such undertaking how is it possible for the Sind Government to go and build its own headquarters and buildings anywhere ? I really am surprised how the Provincial Government can function from here, and it is obligatory for the Provincial Government, if they are to be turned out from Karachi City, that they must first have adequate accommodation somewhere—whether in Hyderabad or anywhere else—and have adequate funds to put up their own buildings, and it is up to the Pakistan Government that before they pass this Resolution in this Honourable House they must make a definite statement that they will first hand over the full value of assets to the Provincial Government and that they will get whatever—whether 20 crores or 40 crores or 50 crores—whatever be the net value at the present market rate of the plots and buildings in Karachi City, so that they may be able to construct their own buildings. If the Pakistan Government are not in a position to construct their Capital today, the Sind Government is in a less favourable position to construct their Capital today.

Apart from that, Sir, have the Government realised that it is not necessary for them to take over a City which already exists ? It is not necessary for them to take over a city over which the revenues of the Province have been spent during the course of the last one hundred years that it has remained the Capital of Sind. After all, what is the interest that the Central Government can have in the city ? Their interest can be confined only to

the Port of Karachi because that is the only important Port in the Western Pakistan and one of the important ports of the entire Pakistan. Well, the Government of Sind can easily come to an understanding that they shall have no control over Kiamari port where the best interests of the Pakistan Government lie but as far as the city itself is concerned—and where the buildings of the Provincial Government are scattered here and there—how and why is it necessary for the Pakistan Government to take possession of the city ? The only right and appropriate course for the Pakistan Government is to build their own city if and when they are in a position to do so, i.e., when their finances permit them to do. It is not necessary that they should do it tomorrow ; the *status quo* can remain easily for the next ten years and they can build this, say, 10 miles outside or 15 miles from here. It is not necessary for the Federal Government to be located in Karachi City. But, Sir, they should have their own city and their own buildings to suit their own requirements. The present buildings which were intended for a small Province like Sind are too small for them. After all, Sind is a small Province comprising of only eight districts. Sind was a deficit Province till five or six years ago when to our good fortune the value of the agricultural lands appreciated due to the war and high prices in Sukkur Barrage Zone and ultimately the Sind Government paid up their debts and Sind has become a surplus Province today.

Sir, if this very Sind is to be reduced to a smaller size and if it is to be deprived of its very Capital—if it is to be deprived of its life-line—is it possible for Sind to stand on its own legs ? I am very doubtful of that proposition. It will have to depend for almost all time to come—unless things again become very favourable, at least for a very long time to come—on a subvention from the Centre. So, Sir, by taking this decision a very big mistake that you are making is that on the one hand you will have to build your own city sooner or later—your own Capital, your own buildings, these being much too small for you, and on the other hand, you are forcing the Sind Government to get out and also to build their own city, their own buildings ; so not only the Sind Government but also the Pakistan Government will have to build afresh and it will be a double expenditure for two Governments to incur.

It was argued that Posts and Telegraphs and the Railways are also in the hands of the Central Government. That is the case not merely here but everywhere, but that does not mean that because they are in the hands of the Central Government therefore all the Provinces should be taken over by the Centre. Moreover if that argument applies to Sind, it equally applies to the N.-W. F. P. and the West Punjab.

The Honourable Sardar Abdur Rab Khan Nishtar : There is no port in the N.-W.F.P. or the West Punjab.

Mr. M. A. Khuhro : That is really no argument that because the Posts and Telegraphs and the Railways have always been Central subjects the Central Government should take over the Provincial administration. The Government of India have never thought of taking over any Province like this. After all the Provincial Government have Law and Order and other nation-building activities—P. W. D., Revenue and other Departments like Health, Education, etc.

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The Honourable the mover said—as if he was showing great mercy to Sind—that they will get institutions like Dow Medical College and certain other institutions like hospitals, but he knows perfectly well that these are being run by spending large sums of money ; they are not a paying concern to the Provincial Government. All the paying concerns you are taking over and you are going to give them the liability of running the University for Sind, the Dow Medical College and such other institutions in Karachi which will cost them lakhs and lakhs of rupees. I do not know whether that is a compromise with the Sind Government. If the Sind Government have reached such a compromise they have betrayed the country and I am sorry if they have, but, at any rate, I must know and every Honourable Member in this House is entitled to know what decision the present Sind Government have reached with the Pakistan Government. If they have not reached any decision and the negotiations are to follow hereafter the best course for them is to accept the amendment of my Honourable friend, Prof. Chakraverty, in which he says that you might accept clause (a) of the Resolution and postpone the deliberation of clauses (b) and (c). That is a very appropriate amendment and a very reasonable one because I think—and this is my feeling—that it is not possible for any Provincial Government or the Central Government to reach a final decision on all the far-reaching effects and consequences of this Resolution in the course of two or three days. It is not humanly possible and a lot of study and adjustments have to be made of a number of things which have cropped and will crop up hereafter because of this decision. For instance, you have got the High Court, which has jurisdiction over the City of Karachi and over the whole of Sind. Where will the High Court now go ? The question of locating the High Court, and its administrative control from here, will arise. Where will the Government of Sind go ? Where will the other institutions go ? All these questions will crop up as a natural corollary and as a direct result of this decision.

Well, Sir, the Honourable the mover of the Resolution has said that when the Capital of the Indian Government was shifted from Calcutta, people of Bengal regarded it as a great misfortune. That may or may not have been so. Assuming that it was, there was a reason for that, because the control of Calcutta vested in the Provincial Government till the last day of the departure of Indian Government. Therefore, for them it made a difference in this way that a good many of the clerks and officials went away who used to aid or help the revenues of the Province by spending their money there and therefore that loss might have been felt but during all the period of 50 years or more Calcutta was never lost as Capital so far as the Province was concerned. The Honourable the mover of the Resolution has referred to the historical background. I ask him, Sir, is there any instance that he can quote that any Federal Government, formed at any time, has taken possession of any Provincial Capital and used it as their own Capital. There are no instances like that. They have always gone and built their own Capitals outside the big cities like the New York.

Honourable Members—some of them—have said that it will be a great pleasure for them if the Capital of Pakistan is shifted to Chittagong or some place in Bengal or in the Punjab or in the Frontier. As things stand I do not think it is possible that the Government of Pakistan will actually go to East Bengal but there is time enough yet to think over this problem, where the final Capital you should have. Pindi is one of the places where surely Capital may

be considered more advisable hereafter. Things may be entirely different after 10 or 15 years and you might consider Pindi much more safe, and much more suitable for the purpose of locating the Capital. You might consider Abbottabad as much better or you might consider Malir or Mauripur for your purposes more suitable, and very likely so for climatic reasons.

Mauripur is on the sea beach near the port. It may be considered more suitable for that matter. Sir, I think it is rather premature to bring such a comprehensive and far-reaching Resolution in such a short time and rushing it through this Assembly and committing this House to a definite course of action in such a short period. I think, Sir, adequate time should have been given. Even now the time is not lost. The Government may consider it proper to accept the amendment of Mr. Raj Kumar Chakraverty at this stage and think over it and come to a definite understanding with the Provincial Government and see that the Provincial Government do not lose in any respect even if Karachi is to become the Capital of Pakistan. Personally I think it is a wrong decision to make it a permanent Capital. You must take time over this problem, as this problem needs to be thoroughly thrashed up and thoroughly discussed from all considerations and in all directions. Most of the things are, I must complain again, suppressed from the House and this House is not being taken into confidence with regard to the decision of the Provincial Government which is most important. A Committee was appointed in this connection and the decision was that after the report of the Committee there will be full and deliberate discussion between the Provincial Government representatives and the Central Government representatives at the ministerial level and they must come to some agreement on this issue before any decision could be taken in the Constituent Assembly and before making it a final decision. I, therefore, beg of the Government that the amendment of Mr. Chakraverty should be accepted and this Resolution be deferred. Government must also come forward and definitely state here in this House what agreement or arrangement has been reached between the Provincial and the Central Government. The Honourable the mover of the Resolution is nodding his head. This means that he is not going to tell this House anything. He can ignore this House thinking that he has got a majority in this House. Let him do so. If he is going to decide by the rule of thumb or by brute majority let him do so. I think the fate of Karachi is sealed and this is evident also from the attitude that I find in this House of most of the Members, and perhaps this is my last speech on the subject and I feel I am participating in the funeral oration of Karachi.

Mr. Nur Ahmed (East Bengal : Muslim) : With your permission, I wish to make a few observations on the Resolution moved. Sir, two great leaders of Sind, who are also Members of this House, have opposed the Resolution. What I gather from their speeches is that Sind welcomed Pakistan Government at a time when there was great upheaval and communal disturbances in the Punjab; and Bengal was at a distance of 2,500 miles away, and when the Pakistan Government could not go anywhere else. Sind at that time very kindly welcomed the Government of Pakistan as an Honourable guest and invited them and hospitably treated them. Now they find that the Honourable guest is proving very ungrateful. He is taking the very house, in which they kept him, from them. The question is, is it so? I think in this respect the Government of Pakistan have proved very grateful here again. They have not forgotten the hospitality and the welcome shown to them. They

[Mr. Nur Ahmed.]

want to repay this kindness to the public of Sind. Sind, which was insignificant before the world has become world-famous by the locating of the Capital of Pakistan—the greatest Islamic State in the world—and this is a great honour. We, who are coming from East Bengal, will envy the good fortune of the Province of Sind and would like the Capital to be located in our part of the country. We have reconciled with very great difficulty to the deprivation of this great honour for Eastern Pakistan.

Sind is the place—this is a historical fact—where first Islamic State was founded in India. It is a historical fact that Mohd. Bin Qasim landed in this very place of Sind in 711 A. D. and established a Government which is said to be the most tolerant and most liberal on the earth. It is a historical fact. This is one reason and another reason for our not objecting to the location of Capital here is that it is the birth-place of our Quaid-i-Azam. Sir, he is the architect and founder of Pakistan. It was due to his great personality, and great sacrifices, that Pakistan has been achieved and it is in the fitness of things that the Capital of Pakistan should be located in his birth-place. Islam does not allow us to lionise a person, however great. There is no hero-worship in Islam. All human beings, high and low, rich and poor, are equal before God. By stating that the birth-place of our Quaid-i-Azam should be honoured by the location of the Capital of Pakistan, I do not like to lionise our Quaid-i-Azam in any way. But there is such a thing as gratitude and Islam enjoins on us to be grateful. So in gratitude to our beloved Quaid-i-Azam, I say so.

Now I would say a few words to the Honourable Members from Sind I find that they greatly feel the loss of Karachi and are bemoaning their lot and think that they are being deprived of the best city that they have built at so much cost and labour of their own. I would ask them to see things through a long vision and understand the future and look into the panorama of bright future that awaits the Capital City of Pakistan. It will blossom forth one day into a very big city and Workshops and great industries will grow up all along the City and the deserts of Sind and it will become the premier City of Pakistan and even in the world.

The Province of Sind is bound to prosper with the prosperity of Karachi. Karachi, as the Capital of Pakistan, is to be developed into one of the best cities of the world and the prosperity of Karachi is the prosperity of Sind. I, therefore, appeal to the Honourable Members of Sind to appreciate this fact and not to stand in its way. I warn them that by their truculent attitude they are rendering the greatest disservice to the cause of the people of Sind. The younger generations after ten or fifteen years, when they would find that these two members stood in the way of Karachi being developed into a prosperous city, would curse them and I think the Honourable Members will then rue the day and realise their folly. I say this is a measure which will benefit the people of Sind to a large extent. With these few words, I support the Bill.

Mr. Serajul Islam (East Bengal : Muslim) : Sir, I begin with the last sentence of our friend, Mr. Khuhro. He said, or rather ended his speeches by saying that the fate of Sind is sealed. Sir, I say that it is just the opposite. I envy the chances and the good fortune that the people of Sind are going to have by having the headquarters of Pakistan in Karachi. Bravo Sind ! All of your sister Provinces will envy you. East Bengal will envy you. The

Punjab will envy you. The North-West Frontier Province will envy you. Baluchistan will envy you. Sir, coming as I do from East Bengal, I think all my friends from East Bengal are at one with me when I say that, as my friend over there has rightly said, we would have very much welcomed if the Capital of Pakistan had been in East Bengal. I really fail to follow the logic of those of my friends—the logic of denial of land or a site to Pakistan. Sir, if nobody gives any land or a site where shall we go for the location of the headquarters of Pakistan? Shall we go and knock at the doors of Pandit Nehru?

Alhajj Muhammad Hashim Gazder: We give you such land as you want Why take away the city?

Mr. Serajul Islam: The reply to that has already been given by my friend, Mr. Abul Kasem, over there. You should know that you are not losing anything, rather Sind is going to wear a double crown.

Alhajj Muhammad Hashim Gazder: You wear it, I say.

Mr. Serajul Islam: I say, East Bengal would really love to wear it provided they get it or my friend, Mr. Gazder, can so manage that the Capital is transferred to East Bengal.

Alhajj Muhammad Hashim Gazder: It is in your own hands.

Mr. Serajul Islam: Sir, I think the Opposition's view rests only,—if not only, primarily,—on sentiments. The very reason that Sind is a deficit Province, they should welcome the Capital here. The location of the Capital of Pakistan in Sind will, I believe, render to her immense possibilities of future development in every sphere. Sir, one thing arises in my mind and that is that along with the other arguments that have already been advanced by different speakers, my argument is that Sind is the birth-place of our Quaid-i-Azam. He was born and brought up here and he passed the early days of his life here. In his old age, when through his efforts, primarily, I must say, we have achieved an independent State, the Dominion of Pakistan, and when that old Veteran leader, the maker of Pakistan, is still living, I think his birth-place should have the first priority and choice so far as the location of the headquarters of Pakistan is concerned. With this argument, Sir, I shall resume my seat, because many of my friends have already advanced arguments of various kinds and I need not repeat them. But, Sir, so far as the arguments of Mr. Gazder and Mr. Khuhro are concerned I must say that they are based on sentiments. So far as these sentiments and feelings are concerned, I make an appeal to those who are in power to do justice to their suggestions as regards compensation and other things. Sir, with these words, I whole-heartedly support the Resolution so ably moved by the Honourable Khwaja Shahabuddin.

Mian Mohammad Iftikharuddin (West Punjab : Muslim): Mr. Chairman, I think the speakers who have so far participated in the Debate have not enlightened us as to the real reasons for the resentment of a section or a majority of the Sindhis with regard to the present move of the Federal Government. I shall not enter into the reasons for making Karachi or any other place as the Capital of Pakistan. I think much can be said on that question, and if, as we are assured the Pakistan Government has consulted military and other experts in this matter and have come to the conclusion that Karachi is best suited to be the Capital of Pakistan Government, I think, as laymen, most of us will not argue against the decision. I shall deal only with what possibly are the reasons for the resentment of a section of Sindhi masses and

[**Mian Mohammad Iftikharuddin.**]

Sindhi intelligentsia with regard to the present move. These reasons can be divided into four categories. There could be, firstly, administrative objections to Karachi being taken out of their hands ; secondly, there may be economic reasons against Karachi being taken out of Sind ; thirdly, political reasons, and, fourthly, sentimental reasons behind the objections of the Sindhis.

Taking the administrative reasons first : it is argued that if taken away from them, the Sind Government could not function from Karachi because it is not possible to function from alien land, so to speak . That applies equally to the Federal Government

Mr. M. A. Khuhro : That is a superior Government.

Mian Mohammad Iftikharuddin: The Federal Government naturally would like to exercise its own authority on matters of law and order and administration. For example, if the Federal Government wishes to take certain action against anyone, it cannot go to Sind Government for this purpose. If the Central Government wants to take action against a printer or a press it would not be in keeping with its dignity and prestige to approach the Provincial Home Minister to take action on its behalf. There are other reasons also on which speakers have touched and I will not repeat what they have said. I shall only say that if for reasons of prestige and dignity it is argued by Sindhis that their Capital should be here at Karachi and should be under their control, it could equally be argued that the seat of the Federal Government should be under the administrative control of the Centre. So I do not think that they can advance that argument forcefully.

Secondly, coming to economic reasons, they are weighty indeed. I think Pakistan Government could have taken the wind out of the sail of those who argue that economically Sindhis will suffer, if they had made it clear that the present revenues which accrue from the City of Karachi will continue to go to the Sindhis. If that point had been made clear, I am sure complications of this nature could be reduced to a great extent. There are of course other aspects to this economic question. It has been said that it will cost the Sind Government a good deal to make another Capital. That Pakistan Government should have made this point clear that it will pay for all the expenses necessary for building a new city, adjacent to Karachi as a Provincial Capital, Sindhis in this way would not suffer economically. Sindhis own land here, Sindhis do business here, and nothing is contemplated in the present move to prevent them from owning property or prevent them from doing business in the City of Karachi. The third and fourth arguments, I think, are really weighty and the attitude that the Government has adopted in this matter reveals that they have made no effort to remove the objections.

Mr. Chairman : I think it will be better if you continue after recess.

The House stands adjourned till Ten Minutes Past Eight of the Clock for *Maghrib* Prayers.

The Assembly then adjourned for *Maghrib* Prayers till Ten Minutes Past Eight of the Clock.

The Constituent Assembly re-assembled after *Maghrib* Prayers at Ten Minutes Past Eight of the Clock, Mr. Chairman (Mr. Tamizuddin Khan) in the Chair.

**RESOLUTION RE : LOCATION OF THE CAPITAL OF PAKISTAN
AT KARACHI.—concl.**

Mr. Chairman : Mian Iftikharuddin Khan to continue.

Mian Muhammad Iftikharuddin : Mr. Chairman, Sir, I was dealing with that our possible objections that could be raised against making Karachi as the Capital of Pakistan Government. I said that so far as administrative reasons are concerned, they cut both ways and if Sind Government says that it must have the authority in the town in which it is situated likewise the Pakistan Government can say that it must enjoy full authority in the town or the place where its offices are situated.

Secondly, that so far as economic reasons are concerned, I tried to argue that had the Pakistan Government made its position quite clear, the Government of Sind and the people of Sind could be fully satisfied that they would not suffer in any way, if Karachi were to be turned into the Capital of the Federal Government: But on the other two objections, *viz.*, political and sentimental, I think the Pakistan Government will find it more difficult to satisfy the Sindhi sentiment if it continues in its present attitude. Political reasons are very clear to my mind and they are important. Sindhi intelligentsia lives mostly in Karachi and they feel that if Karachi is taken away from Sind, they will be cut off from the politics of Sind and in that I think they are fully justified in feeling that Sind will lose its head because the intelligentsia does live in Karachi and if Karachi voters have nothing to do with the Government of Sind, then it will not be easy for the intelligentsia to have the same association and to have the same connections with the Government of Sind. On that, I think it was necessary not only to say this much that the present Members of the Legislative Assembly in the Sind Provincial Assembly will continue but also it was necessary to assume that the population of Karachi will have the right to vote in Sind Provincial elections in the next constitution whenever it comes to be made and that so far as the Government is concerned, it will support the idea of allowing the Sindhis living in Karachi or the citizens of Karachi in general to vote in the elections of Sind Provincial Assembly. If that thing is made clear, the integrity of Sind is maintained and furthermore, if it is made clear that representative from Karachi will come to the Federal Parliament in future if there are to be indirect elections through the Sind Assembly and not directly into the Federal Parliament. If these two points were made clear, the political integrity of Sind, including Karachi would be maintained and the objections of the intelligentsia that they will lose touch with the Sind Provincial Government would have been removed. I think on that question clarification was very necessary.

Fourth objection is "Sentimental". There is a feeling that 1/7th of the population of Sind Province which is not very big—35 lakhs, I believe, is the total number of Muslims living here—1/7th of that population is being taken away from Sind and a very important section of Sind population. Naturally there is a feeling that Sind is being partitioned. On that question if it were made clear that whatever measure of provincial self-determination is allowed to any particular Province in the future constitution of Pakistan, that will be enjoyed by Sind including Karachi and not excluding Karachi. I am not entering into what measure of provincial self-determination should be allowed in the future constitution to a Province but whatever is decided, that measure of self-determination will be allowed to Sind including Karachi and not excluding Karachi.

The Honourable Mr. Liaquat Ali Khan : What do you mean by Provincial self-determination ?

Mian Muhammad Iftikharuddin : By Provincial self-determination, I mean, that if on any question in future the Federal Government or the Federal Assembly or Parliament, wishes to ascertain the wishes of a federating unit of Pakistan, when ascertaining the wishes of the future Sind Province, it will include Karachi in the Sind Province.

I repeat I am not concerned with the extent of self-determination. Whether the autonomy of the Provinces is increased or decreased, is unimportant for this question. Provincial autonomy may be completely finished. I may have my own views on it, but I am not going to speak on that now. All that I emphasise is this that whatever, if any, is left over of Provincial self-determination, in dealing with Sind, Karachi will form part of it. It is possible and the Prime Minister is very fond of saying that my arguments may be somewhat vague, but actually, I feel that so far nobody has analysed the reasons of Sind resentment on the present move of the Government. I refuse to admit that Sindhis are unpatriotic. I also refuse to admit that Sindhis are anti-Pakistanis. I also refuse to admit it that any single individual or a group of individuals could play upon the feelings of Sindhi sentiment to this extent that we see today. I think there is a Sindhi feeling: right or wrong, that is not the point. There is a Sindhi feeling and that feeling is behind this move or behind the resentment that has been expressed in the past few months with regard to the present move. Now that feeling cannot be wiped away merely by somebody getting up and saying that you should not have Sindhi feeling, you should not have Punjabi feeling, you should not have Bengali feeling. We have seen that feelings cannot or prejudices cannot be eradicated in this manner. A classic example of that was when in United India the majority party continued to say that we are one and we feel as one but since there was a genuine feeling amongst a certain section of the people that they must have their self-determination, despite propaganda, despite endeavours on the other side, they could not overcome that feeling and they could not eradicate that sentiment. I am not saying that Sindhi or any other provincial sentiment is so deep-rooted, justified or genuine. Far from it, but if it is not deep-rooted, if you believe that it is just superficial, why on earth do not you have that confidence and say that if every Sindhi feels like that whatever measure of self-determination that we will give to any Province, this Province including Karachi will have that measure of self-determination. I feel confident that a day will come when division in Pakistan will not be on any other basis but on the basis of economic interests. Once the integrity of the State had been admitted, once real loyalty in the existence and in the integrity of the Pakistan State has been expressed by an individual, then in a country, differences arise over economic, political and other issues, and the divisions of the future, if any, amongst the people of Pakistan will not be division on any other basis than that. Majority of the people of Pakistan have a way of life what we call an Islamic way. That will help us finally to obliterate all classes and inequalities.

Malik Mohammad Firoz Khan Noon : On a point of order, Sir, the Honourable Member said that once the integrity of Pakistan is admitted by individuals, will he kindly say whether there are any individuals in Pakistan who do not admit it or is he referring to somebody outside Pakistan ?

Mian Mohammad Iftikharuddin : No. What I meant was (and I am glad that someone has asked for that clarification) that to me an individual does not become a citizen of Pakistan, he is not entitled to exercise the rights of citizenship unless he admits and accepts the integrity of the State of Pakistan. After that he has a right to put his point of view and my view is that in future the points of view will not be based on provincial prejudices but in future points of view will be based on political and economic questions. We know that what the majority of the people of Pakistan are and we know how the majority will think in economic and other matters. There may be genuine difference but the differences will be of that nature and not of a provincial nature.

As a matter of fact I am told that the Pakistan Government is thinking of reserving certain proportions of services for various Provinces. Now, this is not a disruptive move. Government of Pakistan feel that a Province (although we are all Pakistanis and have faith in Pakistan and believe in its integrity nevertheless) may today have a feeling in Bengal, in Sind, in Frontier and in Punjab that justice is not being done to any particular Province on a particular matter. I understand, that the Government keeping in view this feeling is about to declare its policy with regard to the allotment of jobs and of reserving certain proportions of jobs for particular provinces. Now here, the Pakistan Government admits that this feeling does exist. Likewise Pakistan Government should have known that Sindhi sentiment does exist—I repeat that this sentiment may not be permanent.

So I will end my speech by saying, Sir, that if a proper approach had been made to this question, if the economic issues had been clarified and it had been made clear that Sindhis will not lose much economically and that their integrity will remain undisturbed, there would not have been much resentment.

***Sardar Bahadur Nawab Mohammad Khan Jogazai (Baluchistan : Muslim):** Mr. Chairman, Sir, I support the resolution which has been moved in favour of making Karachi the Capital of Pakistan. I do not understand why our Sindhi brethren are opposing it. All Mussalmans of Pakistan are brethren to each other and they should, therefore, unite on this problem. Recently when Quaid-i-Azam visited Baluchistan, all the Afghans, Sardars and Nawabs told him that if he would locate the Capital of Pakistan in Baluchistan, all of them would be much pleased. In reply, Quaid-i-Azam said that he would think over it. Now since it has been agreed upon that Karachi will be made the Capital of Pakistan, we are happy over this as well.

The Honourable Mr. Liaquat Ali Khan : The Honourable Mr. Khuhro and the Honourable Mr. Gazder have reminded us that it was the then Sind Government, before the 15th of August, which had given invitation to the Pakistan Government to come to Karachi. As a matter of fact, Mr. Gazder was so excited that I thought he was suffering from blood-pressure ; as soon as he went out I asked him whether he was suffering from blood-pressure, because I was very worried about him when he was speaking. I was very anxious, this being the last day of the Constituent Assembly, that

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we should get through the business which is on the agenda, and, therefore, I was very happy to learn that, it was not the blood-pressure but a little nervous excitement. Sir, they have rightly reminded us that it was the Sind Government that had offered us a home. The Pakistan Government and the people of Pakistan are grateful to Sind and the Sind Government for the assistance that they gave at that time. Mr. Khuhro and his colleagues had gone to Delhi at the time when the Muslim League Working Committee, which was acting as the Provisional Government on behalf of the future Government of Pakistan, decided that the Capital of Pakistan should be in Karachi. They were even more generous than just offering the hospitality of Karachi to the Pakistan Government. They even offered that they would shift the Provincial Government to Hyderabad if it was found that there was not enough accommodation in Karachi. I assure my Honourable friends that we are indeed very grateful for this gesture which they had made and let me tell them that it is out of that grateful feeling that we desire and are keen that Karachi should be the permanent Capital of Pakistan. My Honourable friends, if they would permit me to say so, have not got a broad vision. I have no doubt in my mind that the people of Sind would be grateful—that the future generations of Sindhis would be grateful—to the Constituent Assembly that it took this decision to have the permanent Capital of Pakistan in Karachi. Sir, as a matter of fact, as far as this proposition is concerned—that the Capital of Pakistan should be in Karachi—there is really hardly any difference of opinion. If once you decide that Karachi should be the Capital of Pakistan, then it is but natural that the administration of Karachi should be in the hands and under the control of the Federal Government. As a matter of fact my Honourable friend, the Mian Sahib, analysed the position very correctly when he said that there can be only four grounds for any opposition to this Resolution. The first, he said, could be the administrative ground. On that, I think I am right in saying that he agrees with me that if Karachi is to be the capital of Pakistan, then the administration of Karachi must be under the control of the Federal Government. The second ground, he said, was the economic ground and I think my Honourable friend Mr. Khuhro, also raised that point. I want to make the position of the Pakistan Government clear. It has never been, it is not and, I hope, it shall never be, the desire of the Pakistan Government to do any harm or any injury to the people of Sind. We shall see that their interest is not prejudiced in any way. Mr. Khuhro said that Sind was a deficit Province ; that it was only during the war on account of the high prices of foodstuffs and the added income of Karachi, that Sind is a surplus Province today, and if you take away Karachi then, he said, Sind will again become a deficit Province. Now, here I want to assure my Honourable friend, Mr. Khuhro, that the Pakistan Government will make a financial adjustment with the Government of Sind and that the Government of Sind will not lose a single penny of what they have been getting out of Karachi as having been their seat of Government. I cannot give a greater assurance than that.

With regard to the Government buildings here I have been asked as to what will be the position of the Pakistan Government. My Honourable friend, Mr. Gazder, said that we were robbing the Sind Government. May

I assure him that our standards of morality are higher than his ? The Pakistan Government will never be guilty of having done any of the Provinces in the eye, or having had any immoral deal with any of the Provincial Governments because, I believe that the strength of Pakistan depends on the strength of the Provinces and let me tell you, my Honourable friends, the strength of the Provinces depends on the strength of Pakistan. Sir, I was rather surprised to find that in one breath my Honourable friend said that if Karachi went out, Sind with its present income, but without the income which it gets from Karachi of 60, 70 or 80 lakhs, whatever it may be, will become a deficit Province, and yet with those finances of theirs they hope that they can make Karachi the dream of the Muslim world ; with those financial resources they hope that Karachi can really be a Capital worthy of the biggest Muslim State in the world.-----

Mr. M. A. Khuhro : The Pakistan Government should look at its own Budgets.

The Honourable Mr. Liaquat Ali Khan : My Honourable friend says "The Pakistan Government should look at its own Budgets". Government do not look at their **Budgets**, Mr. Khuhro; Governments have to look to their credit. Any Government may have its coffers full of money and if it has no credit that money is not worth a handful of sand that you might pick up on the sea shore. Therefore, please get rid of that mentality that the Pakistan Government has no money. Mr. Khuhro takes every opportunity of running down the Pakistan Government. I remember my Honourable friend's speeches during the **Budget session**. Sir, I believe in the loyalty of Mr. Khuhro to Pakistan. I wish he would express that loyalty with greater wisdom than what he has been doing in the past. By these remarks of his, he who occupied the position till recently of the head of the Government of a Province that the Pakistan Government has no credit, that the Pakistan Government's financial stability is nothing, he is certainly not proving himself to be a friend of Pakistan..

Mr. M. A. Khuhro : I did not say that the Pakistan Government have no credit. I said that you had deficit Budgets.

The Honourable Mr. Liaquat Ali Khan : For one thing, my Honourable friend had not studied the Budget. It was not a deficit Budget that was presented last time. Perhaps my Honourable friend was only thinking of his own Budget. I do not want to enter into this controversy with my Honourable friend, Mr. Khuhro. He can sit back in his chair and feel happy that the Pakistan Government is a bankrupt Government if that would satisfy him in any way.

Sir, I was saying that it is absolutely necessary, if you want to make Karachi the city, which everyone of us wants it to be, that the Central Government should take the responsibility for developing Karachi, if it is going to be its Capital. Now, Sir, I hope that on these points I have given a satisfactory reply where the question of financial adjustment with the Sind Government is concerned. Sir, I was very interested to find my Honourable friend, Mian Iftikharuddin, taking up cudgels on behalf of the vested interests, a man who has been the champion of the masses, a man who believes in the sovereignty of the masses, should come forward and tell us seriously that if an assurance could be given to a few educated people whose only desire and sole

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object of keeping Karachi as a Provincial Capital, under the administration of the Province, was to be members of the Provincial Legislature, then he felt that there would not be much opposition. He went on repeating this again and again. He referred to the "intelligentsia". Mian Sahib knows what is the percentage of intelligentsia. Does he want to give up the masses in the interests of the intelligentsia ? I thought he believes in the strength of the masses.

Mian Muhammad Iftikharuddin : In certain matters masses go with the intelligentsia and on this point I feel that the masses can be with the intelligentsia.

The Honourable Mr. Liaquat Ali Khan : The point here is not whether the masses are on this point or not with the intelligentsia. The point that my Honourable friend made was this that if an assurance could be given that the intelligentsia, which is living in Karachi, shall be able to become members of the Provincial Legislature then quite a lot of opposition will disappear. Sir, my Honourable friend said that there was another reason and that was sentiment. He gave an illustration that if there was any Provincial self-determination to be given to various Provinces then Karachi should be considered as a part of Sind, for that purpose. That means that for the counting of heads the people of Karachi should be regarded as a part of Sind. Sir, now I suppose he was meaning to refer to the time when we come to frame the future Constitution of Pakistan. Well, Sir, that is a matter in regard to which he should realize that the future Constitution of Pakistan will not be framed by the Government. The future Constitution of Pakistan will be framed by this Constituent Assembly.

Mian Muhammad Iftikharuddin : By the ruling party.

The Honourable Mr. Liaquat Ali Khan ? : I hope he is a member of the ruling party.

Mian Muhammad Iftikharuddin : Yes, I am.

The Honourable Mr. Liaquat Ali Khan : And, therefore, my Honourable friend will have the fullest opportunity of trying to convert the members to any point of view that he may want to put before this august House.

Sir, now I come to the speech of my Honourable friend, Mr. Gazder. He said you have got powers under the Indian Independence Act. You can do this by means of an Order. Why do you want to drive us into this ? And then he accused us, not only us but the whole Constituent Assembly, as creating dictatorship. Sir, my Honourable friend evidently believes very much in the law of contradiction. In one breath he advises me that I should get all these powers by means of invoking the special powers of the Governor-General and when I come forward before the Assembly then he accuses me of dictatorship. Sir, I am afraid, I find it rather difficult to understand what was the logic that my Honourable friend wanted the Honourable Members of this House to follow in this matter. Sir, my Honourable friend put great force on the Lahore Resolution. He said that if they had known that a day like this might come when the Sovereign Parliament of Pakistan may decide that Karachi shall become the Capital of Pakistan and that Karachi shall be administered centrally, they would have thought hundred times before supporting the Resolution of Pakistan. Now I want

to ask my Honourable friend what would have been the other alternative before him. Supposing he and his friends had not supported the demand for Pakistan and supposing Sind had not been a part of Pakistan then what would have been the position of Sind ? There would have been only two positions : either Sind as an Independent sovereign state or Sind as part of India. Now I only ask the Honourable Members of the House to consider whether it was possible for Sind to be an independent state. It was an impossibility. Therefore the other alternative that was there, was to be a part of India. It is possible that my Honourable friend may have kept the Capital of Sind in Karachi but he would have certainly been responsible for killing the soul of Sind and after what had happened since the 15th of August, instead of Muslim refugees coming to Sind, it is possible that Muslims from Sind would have become refugees. That is what would have been the fate of the Sindhis and people of Sind. Sir, I am sure that my friend, Mr. Gazder, did not mean this. What I feel is that when he said that we would have thought hundred times he said so in the heat of the moment and the heat of the day. Sir, there is one point that was raised by Mr. Khuhro. He said again and again : "I have got a right—the Constituent Assembly has got a right to know what is the decision or what is the attitude of the Sind Government with regard to this matter". I think in fairness to Sind Government I must tell the House because I want to save the Sind Government from the attacks that might be levelled against them by Mr. Khuhro and others who have opposed this Resolution. I know why he was insisting on asking this again and again. Knowing my Honourable friend Mr. Khuhro, and the way that his mind works, I feel that it is absolutely necessary for me to divulge to this House and through this House to the people of Sind as to what is the attitude of the Sind Government with regard to this matter. The Sind Government and ourselves have not succeeded in coming to an agreement on this issue, and it is because of the reason that as the two of us could not agree we have to come to this Honourable House, to the sovereign body, to decide this issue. Is it contended that nothing is to be done by the Constituent Assembly unless the Provincial Government agrees to a proposition ? If you take up that attitude, I will tell Honourable Members that they will not be able to do anything. You should look at this question from the point of view of whether the decision which you are taking is in the interests of Pakistan or whether it is not in the interests of Pakistan. If the Honourable Members feel that this Resolution, after the explanation that I have given, does not in any way prejudice the interests of Sind and if they feel that it is in the interests of Pakistan that Karachi, should be the Capital of Pakistan, then they must support this Resolution irrespective of the fact as to what the attitude of a particular Government or of a particular Legislature is. Sir, it has been stated by Mr. Khuhro and by Mr. Gazder that we have hurried through this matter. Mr. Khuhro should have been the last person to have made that statement. As soon as we came here, we started discussions with Mr. Khuhro at the highest level, at official level, at the ministerial level and therefore, he should have been the last person to say that this matter is being rushed through. But for the knowledge that he had about this, he would not have succeeded in getting his Party when he was Premier to oppose the proposal but for the knowledge that he had about this matter, he would not have succeeded in getting the Provincial Muslim League to oppose the subject matter of the Resolution. Therefore, for my Honourable friend to say today this is a matter about which nobody knows

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anything is absolutely wrong. If people did not know anything, then how could my Honourable friend's party, of which he was the leader, come to any decision about a matter about which he himself today is saying that he has not had the time to consider.

Mr. M. A. Khuhro : That was the unanimous decision of the House.

The Honourable Mr. Liaquat Ali Khan : Sir, I think I have tried to deal with all the points that have been made and here I do want my Honourable friends from Sind to believe me when I say that the Pakistan Government or the Constituent Assembly is doing a service to all. Everyone who has got any breadth of vision would recognise that ultimately it will be the people of Sind who will benefit most out of Karachi becoming the Capital of Pakistan. May be, today you do not realise the importance of this decision. Your grandchildren will bless this Assembly for having taken this decision. After Karachi grows into a glorious town, as is the wish of every Pakistani, it will be the glory of Sind and it will be the glory of Pakistan (*Loud cheers*).

Mr. M. A. Khuhro : I want to ask one question. Would the Honourable the Prime Minister say whether it is not a fact that no agreement has yet been reached with Sind Government on this matter? Sir, in that case, according to the old arrangement, why this matter has been precipitated, and before decision or compromise is reached with the Provincial Government, where is the hurry for doing it?

The Honourable Mr. Liaquat Ali Khan : Sir, I have already replied to that and I have said that this matter cannot brook delay. Does Mr. Khuhro know that thousands of people, foreigners, men of commerce and trade and others are waiting for this decision and many important matters are pending on account of no decision having been taken so far?

Mr. M. A. Khuhro : That does not help.

Mr. Chairman : I am now putting the motion to vote. First of all I take the amendment of Prof. Raj Kumar Chakraverty. The question is:

"That the consideration clauses (b) and (c) of the motion be postponed and the views of the Government of Sind be ascertained in the meantime."

The motion was negatived.

Mr. Chairman : Then I put the main motion. The question is:

"That this Assembly resolves:

- (a) that the capital of Pakistan shall be located at Karachi;
- (b) that all executive and administrative authority in respect of Karachi and such neighbouring areas which in the opinion of the Central Government may be required for the purposes of the capital of Pakistan shall vest in and shall be exercised by or on behalf of the Government of Pakistan and the Legislative power shall rest in the Federal Legislature; and
- (c) that notwithstanding anything in any law for the time being in force, the Government of Pakistan shall proceed forthwith to take such steps and adopt such measures as may be necessary to give effect to the purposes of this motion."

The motion was adopted.

Mr. Chairman : The House stands adjourned *sine die*.

The Constituent Assembly of Pakistan then adjourned *sine die*.